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11
12 **UNITED STATES DISTRICT COURT**

13 **NORTHERN DISTRICT OF CALIFORNIA**

14 PAUL YALE, individually and on behalf of
others similarly situated,

15 Plaintiff,

16 vs.

17 WIZARDS OF THE COAST, LLC,

18 Defendant.

Case No.: 5:15-cv-06337-EJD

CLASS ACTION

SECOND AMENDED COMPLAINT

DEMAND FOR JURY TRIAL

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1. Plaintiff PAUL YALE (“Plaintiff”) alleges as follows on behalf of himself, all others similarly situated, and the general public:

I. INTRODUCTION

2. Plaintiff brings this class action lawsuit individually and on behalf of other individuals who worked as Judges levels one through three for Defendant WIZARDS OF THE COAST, LLC (“Defendant” or “Wizards”) in California. He seeks compensation for unpaid minimum and overtime wages, missed meal and rest breaks, failure to timely pay wages, failure to furnish timely and accurate wage statements, failure to maintain accurate payroll records, unreimbursed business expenses, and interest and penalties thereon; and reasonable attorneys’ fees and costs, under, inter alia, California Labor Code §§ 218.5, 226, 1194, 2699, 2802, California Code of Civil Procedure § 1021.5, the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201, *et seq.*, and California Business and Professions Code § 17200 based upon the allegation that Defendant’s violations of California’s wage and hour laws and FLSA, as described more fully below, had been ongoing for at least four years prior to the filing of this action and will continue until enjoined by the Court.

II. JURISDICTION AND VENUE

3. This Court has original jurisdiction of this action based on federal question jurisdiction and the Class Action Fairness Act of 2005. Plaintiff's FLSA claims pursuant to 29 U.S.C. § 216(b) provide this court with federal question jurisdiction under 28 U.S.C. § 1331. In addition, pursuant to 28 U.S.C. §§ 1332(d)(2) and (6), this Court has original jurisdiction because the aggregate claims of the putative class members exceed \$5 million, exclusive of interest and costs, and at least one of the members of the proposed class is a citizen of a different state than Defendant. ECF No. 1. Moreover, this Court also has jurisdiction over the state law claims by supplemental jurisdiction under 28 U.S.C. § 1367 because they are so related to the FLSA claims as to form part of the same case or controversy.

4. Venue is proper in this district pursuant to 28 U.S.C. § 1391 because Defendant is subject to personal jurisdiction here and regularly conducts business in the Northern District of California, and because a substantial part of the events or omissions giving rise to the claims asserted herein occurred in this district.

III. PARTIES

A. Plaintiff

5. Plaintiff is a resident of California. The acts complained of herein occurred within the last four (4) years preceding the filing of the Complaint and continue to the present.

6. Mr. Yale has worked as a Judge for Defendant in California from approximately April 1997 through the present. At all times during Mr. Yale's work as a Judge for Defendant, Defendant failed to pay him minimum and overtime wages, provide off-duty meal and rest periods or pay meal/rest premium compensation for missed or on-duty meal and rest periods, or reimburse his reasonably incurred business expenses, as required by the California Labor Code. Mr. Yale has not been provided with accurate itemized wage statements because he has not been paid for any of the hours he worked. Additionally, Defendant has failed to keep accurate payroll records showing the actual number of hours worked. Throughout this complaint references to "Judges" include the Plaintiff.

B. Defendant

7. According to California Secretary of State records, Wizards is a Foreign Limited Liability Company. Plaintiff is informed and believes, and thereon alleges, that at all times mentioned herein, Wizards is qualified to do business and actually doing business in the State of California, but does not reside or maintain its principal place of business in California. Wizards owns and operates an industry, business and establishment within the State of California, including but not limited to the County of Santa Clara for the purpose of selling games and game-related products, within the State of California. Thus, Wizards is subject to the California Labor Code and California Business and Professions Code § 17200, *et seq.* (Unfair Practices Act claims alleged herein).

IV. FACTUAL BACKGROUND

8. Wizards designs, publishes, and produces the popular fantasy collectible card game known as Magic: the Gathering ("Magic"). A game of Magic involves two or more players acting as wizards called "planeswalkers" who battle each other with Magic cards according to highly complex rules and strategies. Since Magic's debut as the first trading card game in 1993, it has ballooned into a worldwide phenomenon with over 20 million players worldwide. Plaintiff is informed and believes

1 that Wizards generates an estimated annual gross revenue in excess of two hundred fifty million
 2 dollars and is engaged in the production of goods for interstate commerce and/or uses and handles
 3 goods which have moved in interstate commerce as such terms are defined in the FLSA. Wizards is an
 4 employer subject to the jurisdiction of the FLSA and the California Labor Code and owns/operates an
 5 industry, business, enterprise and/or establishment for the purpose of selling Magic-related products
 6 and promoting events and competitions throughout the State of California and nationwide.

7 **A. Wizards' Business Model Relies on Organized Play**

8 9. As part of its for-profit activities, Plaintiff is informed and believes that Wizards
 9 organizes, promotes, sponsors and administers an extensive and highly regulated system of Wizards-
 10 sanctioned Magic Events, which it calls "Organized Play."

11 10. Organized Play is a powerful marketing tool for Wizards to keep customers active in
 12 playing Magic and to give Wizards a means to sell Magic products. For example, Wizards encourages
 13 players to become active members of their local Magic communities – and habitual consumers of new
 14 Magic products – with events like Friday Night Magic (the "lifeblood of the game since the beginning"
 15 where players gather at their local store to compete every week); Prerelease Tournaments (where
 16 Wizards introduces upcoming decks to the community); and Magic Game Days (where Wizards offers
 17 special prizes to top players in each store), collectively "Events." *See* Exhibit 1, "Magic the Gathering
 18 Events"; Exhibit 2, "Friday Night Magic"; *and* Exhibit 3, "Game Day."

19 11. Wizards controls the operation of Events it sanctions and has created and maintains a
 20 hierarchy to its Events. For the top Events of the Organized Play circuit, Wizards hosts the
 21 tournaments itself. These Wizards-hosted Events include, among others, the Pro Tour – an invitation-
 22 only tournament consisting of the world's best players – and the Magic World Cup, where each
 23 country puts its best team forward to compete against other countries with hopes of emerging as the
 24 World Champion. To qualify for these tournaments, players must first compete in Qualifier events –
 25 the Pro Tour Qualifiers (later divided into Preliminary and Regional Pro Tour Qualifiers) or World
 26 Magic Cup Qualifiers – and win the grand prize, a round trip ticket to the main event paid for by
 27 Wizards of the Coast. Wizards hand picks the stores and retailers that are allowed to host the limited
 28 number of Qualifier Events each year. In the tier below the top Events, Wizards also offers Magic

1 Players the chance to compete in Grand Prix Events, which are “three-day festivals of all that is
2 Magic” where Wizards guarantees a prize purse of at least \$50,000 per event and individual winners
3 can walk away with thousands of dollars each. *See* Exhibit 4, “Grand Prix.”

4 12. Wizards formally registers Events in its Organized Play system by “sanctioning” them.
5 Players must register – i.e. obtain a “DCI Number” – to compete in sanctioned events, and doing so
6 gives them the opportunity not only to earn valuable product and cash prizes from Wizards but also to
7 improve their standing on Wizards’ global ranking system, not unlike that used to measure chess
8 players against each other. *See* Exhibit 5, “Planeswalker Points”

9 13. Only “Tournament Organizers” such as Wizards or those approved by Wizards as
10 members of the Wizards Play Network (“WPN,” formerly “DCI Family”) may apply for and hold
11 sanctioned events. To become members of the Wizards Play Network, the Tournament Organizers
12 must agree to adhere to the WPN Terms and Conditions, which dictates the rules regarding the
13 structure, gameplay, tournament operating procedures, and uniform minimum standards of sanctioned
14 Wizards events. *See* Exhibit 6, “Wizards Play Network Terms and Conditions.” Once their WPN
15 membership is approved, the Tournament Organizer may apply to have an event sanctioned by
16 Wizards by demonstrating the event will meet various minimum standards required for the requested
17 format. *See* Exhibit 7, “Application for Event Sanctioning.” If approved, they may officially register
18 the event in Wizards’ system, advertise the event as sanctioned to the Magic player community, and
19 collect prize and product support from Wizards to distribute to participating players. At all levels of
20 Events, Tournament Organizers are required to comply strictly with Wizards policies, procedures,
21 schedules, rules, instructions and directives, including requirements regarding the number of players,
22 the rounds of play, and the number and level of Judge staff.

23 14. Wizards devotes an entire wing of its operations to Organized Play, which is staffed
24 with employees dedicated to: overseeing the vast “Wizards Play Network” of approved “Tournament
25 Organizers”; approving Event applications for formal recognition in Wizards’ system (i.e.
26 “sanctioning” the Events); selecting which organizers will host the limited quantity of premier
27 Qualifier events that attract players to national and international competitions; identifying and
28 connecting Tournament Organizers with certified Judges to officiate and staff their sanctioned Events;

1 providing product and prize support to the event organizers; ensuring widespread and successful
2 gameplay according to Wizards Play Network Terms and Conditions, Wizards' Magic Tournament
3 Rules, and Wizards' Magic Infraction Procedure Guide; collecting gameplay data as reported by
4 tournament organizers and officials; and organizing the championship Wizards-run tournaments that
5 top the Tournament systems.

6 **B. Organized Play Relies on Wizards-Certified Judges**

7 15. Organized Play runs on complex rules and procedures that are updated as often as every
8 quarter and require significant specialized knowledge. As such, Wizards requires that sanctioned
9 events be officiated by persons who have demonstrated a mastery of the rules, i.e. Judges – the
10 “tournament officials” who function as the primary labor force behind each Event and Organized Play
11 at large. *See* Exhibit 8, “What is a Judge?” *and* Exhibit 9, “What does it mean to be a certified Judge?”
12 Magic Judges work as part of the “Judge Program.” The Judge Program coordinates with Wizards of
13 the Coast to create, develop, and foster an organization made up of certified Judges who are qualified
14 to oversee, administer, and manage the gameplay at the heart of Wizards' Organized Play system.
15 Plaintiff is informed and believes that one arm within Wizards' Organized Play division operates as the
16 liaison between Wizards of the Coast and Judges in the Judge Program.

17 16. In order to ensure the ongoing success of this important relationship, Wizards of the
18 Coast appointed one of its employees to serve as the “Judge Manager,” the official liaison between the
19 Judge Program and Wizards of the Coast. On information and belief, Wizards employee Andrew
20 Heckt held this position until approximately 2015, after which Wizards employee Sarah Mox stepped
21 into the role. Wizards' Judge Manager is responsible for managing the Judge Program, overseeing
22 Wizards' contracted judges (e.g. Regional Coordinators, the Judge Conduct Committee, etc.), and
23 coordinating interactions between Tournament Organizers, Judges, Players, and Wizards of the Coast.
24 The Judge Manager is Wizards' “primary point person for all things judge.” *See* Exhibit 10,
25 “Introducing Judge Manager Sarah Mox.”

26 17. Over time, Plaintiff is informed and believes that additional roles began to formalize,
27 both at Wizards and within the Judge Program, as the Judge Program grew into a vast and
28 sophisticated network of gameplay referees. For instance, Wizards appointed “Regional Coordinators”

1 to oversee the (now 25) geographic regions into which Wizards divided its global Organized Play
2 system, including the (now 8) regions in the United States. *See* Exhibit 11, “Regional Coordinators”
3 *and* Exhibit 8, “What is a Judge.” The Regional Coordinators report to the Regional Coordinator
4 Advisory Committee and to the Judge Manager at Wizards. These Wizards-appointed Regional
5 Coordinators focus on coordinating the Judge staff, Tournament Organizers, and Wizards of the Coast
6 to ensure successful Events in their regions. On information and belief, Wizards began to formally
7 recognize the Regional Coordinators for their work in or around late 2012 and has paid them since
8 pursuant to independent contractor agreements.

9 18. To comply with Wizards’ requirement that sanctioned events have the appropriate judge
10 staff officiating, the Tournament Organizers may contact Wizards’ Judge Manager or the Regional
11 Coordinators to express their need for judging staff for an upcoming event. Wizards’ Judge Manager
12 and Regional Coordinators are responsible for ensuring Events are appropriately staffed with qualified
13 judges. For smaller Events, a Wizards Regional Coordinator will hire, with input from the Judge
14 Manager and senior-level judges, interested local judges whose qualifications fit the Event’s needs.
15 Judges apply to officiate or staff these sanctioned Events by becoming certified and listed as an active
16 Judge on Wizards’ online system – formerly the “Judge Center” on Wizards’ website and now “Judge
17 Apps,” hosted on a third-party website. The Judge may then reach out to their Regional Coordinators,
18 Tournament Organizers, or more-senior Judges in the Judge Program to express their interest in and
19 apply for sanctioned Events. For larger Events, the Tournament Organizers hire Judges by posting
20 formal job applications through Wizards’ online system. The Judge Manager, Regional Coordinator,
21 and senior-level judges in the Event’s area then work together with the Tournament Organizer to
22 review the applications, grade the applicants according to their suitability for the Event, and then
23 aggregate the results to select the Judge staff for the Event.

24 19. On information and belief, Event staff is regularly compromised of less than 10
25 acknowledged employee staff members whereas the “volunteer” Judge staff required to conduct the
26 Event can exceed 100 people. In other words, the vast majority of the work performed at Events is
27 performed by Judges.

1 20. The staff at each Event is generally divided into event administration (i.e. the logistics
2 of the event, including location, food, and vendors) and event operations (i.e. the gameplay that makes
3 up the heart of the event). Wizards plays both roles at the events it organizes itself, but shares event
4 administration with Tournament Organizers in Events it sanctions. At all Events, Wizards is
5 responsible for and has control over event operations. The Judging staff, led by the event's Head
6 Judge, serves as Wizards' proxy in overseeing any sanctioned Event's operations. At all times in this
7 capacity, the Judges are supervised by Wizards which dictates the tournament rules, gameplay rules,
8 Judge duties, and Judge and player ethics. The Judges may report to the Tournament Organizer for a
9 specific Event, but at all times they report up the chain to Wizards of the Coast.

10 21. Plaintiff is informed and believes that even when a Tournament Organizer hosts a
11 Wizards-sanctioned event, Wizards retains control over all aspects of Magic gameplay and Magic
12 Judge behavior and duties. Wizards designs the games, drafts the rules, and publishes the materials
13 that dictate the conditions of gameplay at the events, and which in turn dictate the knowledge that
14 Judges must possess as arbiters of the game. Wizards maintains a database, called the Organized Play
15 Information System or "OPIS," that tracks, for every sanctioned, the Event's Judges, players, match
16 records, penalties, disqualifications, tournament rounds, and gameplay outcomes. Wizards maintains
17 strict control over the work and schedule details of Judges at Events. Wizards also retains the final say
18 on the resolution of player disputes at all Events. For example, floor judges at events are in charge of
19 resolving player disputes. If the players disagree with a floor judge's ruling, they may appeal the
20 ruling to the floor judge's Team Lead judge at the event. If the players disagree with the Team Lead's
21 ruling, they may take the appeal all the way to the Head Judge whose appointment by Wizards renders
22 his or her decision final. Because the Head Judge represents Wizards of the Coast at the event, not
23 even the Tournament Organizer may overturn the Head Judge's ruling.

24 22. At all times, Wizards requires Judges to serve as representatives to retailers and players.
25 Judges are expected to be available to provide customer service, instruction, and support to retailers
26 and players and investigate and submit reports regarding retailers' compliance with Wizards policy.
27 Wizards maintains a listing of Judges with their contact information, certifications, and activity for the
28 use of its retailers and customers. At all times, Wizards requires Judges to adhere to the Judge Code of

1 Conduct, to act professionally, to wear uniforms, and to fulfill their duties as ambassadors of Magic:
2 the Gathering and Wizards of the Coast.

3 **C. Judges Perform Compensable Work**

4 23. Magic Judges working at Events are the labor force that permits those events to
5 function, and as a matter of necessity, Wizards suffers or permits Judges to perform these functions at
6 Events. Indeed, Wizards could not conduct Magic events without hundreds of Judges performing
7 substantial labor.

8 24. Although the size, complexity, and length of the events vary depending on the format
9 (i.e. Friday Night Magic versus Grand Prix), Wizards requires Judges to engage in similar work duties
10 at all Events. First, judges must prepare for the Event, which, generally speaking, requires the Judge to
11 be up to date on his or her rules and policy knowledge, including by studying any recent rule revisions
12 or newly banned cards; be in contact with the Event organizer whether a Tournament Organizer or
13 Wizards, the applicable Wizards regional coordinator, and other Event judges regarding logistics and
14 each Judge's role at the Event; and to be available to answer questions or otherwise assist any
15 interested players. If traveling for the Event, the Judge must also prepare travel and hotel
16 accommodations.

17 25. Once the (first) day of the Event arrives, the Judges meet with the Event's Head Judge
18 to review the format and schedule of the Event, the work assignments, each Judge's work schedule and
19 job duties, and the Head Judge's expectations for the Event. At smaller Events, there may only be one
20 Judge on staff, and that person acts as the Head Judge. At larger events, it is not uncommon to have
21 Judge staff divided into multiple teams of 3-6 judges, each directed by Team Leads who report to the
22 Head Judge, which serve a specific function throughout the Event.

23 26. The Judges are also responsible for setting up the event. These duties include ensuring
24 Wizards' gameplay tracking software is in good working order, putting out tables and chairs for all of
25 the players and posting signs, including those provided by Wizards to brand the Event as a sanctioned
26 Magic tournament and those necessary to assist player-customers around the Event facilities. Once the
27 players arrive, Judges collect their entry fees and register them for the Event. Judges then post
28 information regarding which players will face each other at the event. When the Event is ready to

1 begin, the Judges guide players to the tables opposite the right opponent, provide match slips to each
2 table, and perform pre-match “deck checks” of each player’s cards to ensure the players’ cards comply
3 with the Magic rules specific to the Event’s format.

4 27. Gameplay at Magic Events generally consists of multiple 50-minute “rounds” of one-
5 on-one play. During each round, the Judges answer “Judge calls,” which are player requests for the
6 Judge’s rulemaking, and apply Wizards’ policies to make decisions in resolving disputes between
7 players. They continue to conduct random additional “deck checks” to maintain event integrity and
8 monitor the gameplay to ensure it complies with Wizards Magic Tournament Rules. In the event a
9 player or other attendee violates a Wizards’ rule or policy, the Judge may issue an infraction, begin an
10 investigation, and, in severe instances, may eject the player from the tournament and report them to
11 Wizards for further investigation and possibly a suspension or ban from Organized Play. At all times,
12 the Judges, at Wizards’ direction, work to maintain a clean and organized event space, including by
13 picking up player trash, wiping up spills, pushing in chairs, and straightening tables. They are also
14 responsible for providing general customer service functions like answering questions and providing
15 directions and instructions.

16 28. Once one round ends, the Judges have approximately ten minutes to direct players to
17 their next placement, hand out new match slips, answer any questions, and record information about
18 the outcome of gameplay or disputes into Wizards’ tracking software. Towards the end of the Event,
19 the Judges review gameplay results to determine the event’s “Top 8” players who will complete in a
20 single-elimination tournament. Some Judges oversee these remaining players’ gameplay, while the
21 remaining Judges finish recording Event outcomes into Wizards tracking software and begin to break
22 down the Event and to prepare to distribute prizes.

23 29. After the Event has finished and the players have left with their prizes, the Judges finish
24 cleaning up the Event space and ensure the outcomes, attendees, and Judge staff are fully recorded on
25 Wizards’ software. Judges also submit paperwork to report to Wizards any player infractions or
26 investigations that arose during the event. Wizards also encourages Judges to draft tournament reports
27 describing the outcome of the event to their Regional Coordinator and Judge Manager, as well as
28 reviews of the work of other Judges who attended the event.

1 30. At the larger events where the Judge staff is divided into teams, the teams will
2 commonly limit their activity during each round of gameplay to a specific function; e.g. a papers team
3 will post pairings and hand out match-slips, a deck check team will circle the floor and audit random
4 players' decks, the floor judge teams will monitor gameplay and resolve disputes, and logistics teams
5 will fill in where needed, including for another team that is at lunch. At all Events, Judges are
6 expected to and do perform the job duties outlined above.

7 31. Wizards assigns and expects Team Leads and Head Judges to perform additional
8 managerial job functions related to lower-level Judges at Events. The "Team Leading" page from the
9 Wizards website is attached here as Exhibit 12. Wizards requires Team Leads, prior to an Event, to
10 prepare for team meetings, to determine strengths and weaknesses of team members, to review team
11 member schedules and duties, and to obtain necessary job materials. Wizards also requires them to
12 conduct team meetings at the start, end, and throughout the day of the tournament, assigning tasks to
13 team members, and ensuring that team members receive proper lunch breaks while maintaining floor
14 coverage.

15 32. Wizards summarizes common judging activities at sanctioned events as follows:

16 "At all levels, judges will keep the game fair, answer rules questions from
17 players at the tournament, correct infractions and apply penalties when
18 necessary. Basically, this will represent most of the judging job, especially
19 at small, local tournaments, where, usually, there is only one judge. Aside
20 from rules matters and players disputes, judges perform some activities
21 related to the tournament organization. Judges post pairings generated by
22 the scorekeeper, check decks and deck lists, keep the tables organized and
clearly numbered. They also lend a hand to the [Tournament Organizer]
when necessary: making announcements, looking for missing players and
finding unreported match results. After all, besides keeping it fair, we need
to keep it organized."

23 *See* Exhibit 9, "What does it mean to be a certified Judge?"

24 33. On information and belief, all Wizards-sanctioned Events generally adhere to the
25 tournament format outlined above; for the most part, differences between Events are according to scale
26 rather than structure. To be sanctioned by Wizards, all Events require at least eight players and one
27 Judge; however larger Events commonly have thousands of players and hundreds of Judges. Within
28 each type of Event, i.e. Grand Prix to Grand Prix, Wizards demands consistency, so it is possible to

1 approximate the general contour and length of each Event based on its format. Wizards approves the
2 date of the Event upon sanctioning it, and Wizards' uniform requirements for the Event's structure
3 dictate the Event schedule as well as the required work hours of Judges. Friday Night Magic Events
4 are generally smaller Events, lasting between four and six hours. Single-day tournaments, including
5 Magic Game Day, Prerelease Tournaments, Pro-Tour Qualifiers, Preliminary Pro Tour Qualifiers, and
6 Regional Pro-Tour Qualifiers generally last between six to ten hours. At larger Events, such as the
7 Pro-Tour, Grand Prix, World Cup and World Championships, Judges typically work two or three
8 consecutive days with work shifts ranging from eight to twelve hour days. In the past, it was not
9 unusual for a Judge at a Grand Prix to work for twelve or more hours straight, which led to Wizards'
10 adopting a rotation schedule for Judges. Across these formats, the Judges' workday is divided into the
11 same rounds of work made up of the job duties described above.

12 34. Wizards acknowledges that these Judge duties constitute compensable work. At many
13 of its own hosted Events, Wizards has entered into, on information and belief, Form 1099 independent
14 contractor agreements with the Judges who perform these uniform Judge functions and compensated
15 these Judges for their hours spent performing Judge duties. Whether the event is organized by Wizards
16 or by third-party Tournament Organizers, Judges are selected by the same process, implement the same
17 Wizards-developed policies and procedures, adhere to Wizards' code of conduct and behavior
18 guidelines, and perform the same essential job functions. However, Wizards only ensures Judges are
19 properly compensated for their work at some of its sanctioned Events.

20 35. Plaintiff is informed and believes that Wizards has, throughout the Class Period, known
21 that Judges perform hundreds of hours of labor at Events on Wizards' behalf, has intended that Judges
22 perform the necessary work at Events, has directed Judges' work through its own and its proxies'
23 supervision, and has at all times had the power to prevent such work and/or to formally employ
24 persons to carry out the necessary work functions at Events. On information and belief, Wizards
25 provides Tournament Organizers with direct access through Wizards-controlled technology to Judges
26 to solicit them to work at Events. Plaintiff is informed and believes that Wizards has appointed an
27 employee "Judge Manager" and contracted Regional Coordinators to serve as liaisons between itself
28 and the Judges and as arbiters between the Judges and the Tournament Organizers. On information

1 and belief, Wizards uses these relationships to provide a buffer between itself and the Judge Program
2 to arbitrarily limit the contexts in which will pay for the work that all Judges perform on its behalf and
3 for its benefit. All work performed by Judges at Events is integral to Organized Play and thus to
4 Wizards' business model, but Plaintiff is informed and believes that rather than preventing hundreds of
5 Judges from working at Events, Wizards has instead consistently promoted, requested and relied on the
6 Judges' labor under the auspices of "volunteering" or by hiding behind third-party contracts in order
7 for Events to function and has, therefore, suffered or permit the Judges to work at Events throughout
8 the Class Period.

9 36. Outside of Events, Plaintiff is informed and believes that Judges spend hundreds of
10 hours attaining and then maintaining their status as a Wizards-certified Judge. Preparing for
11 certification, described in further detail below, requires Judges to spend dozens of hours studying
12 materials, taking practice tests, learning from higher-level judges, judging events, and recommending
13 themselves to the community through community-building activities. These expectations and
14 workloads increase for Judges advancing to subsequent Judge certification Levels, such that it is not
15 uncommon for higher-level Judges seeking advanced certification to spend hundreds of hours fulfilling
16 the required Certification Checklists. At each level, meeting Wizards' requirements to maintain
17 certified Judge status amounts to dozens of hours of additional work outside events – roughly 25 hours
18 per month per Judge level – as the Judges study new and updated rules and policies, work with other
19 Judges on Program projects, train and mentor aspiring and advancing Judges, and stay in constant
20 contact with the Judge Manager, Regional Coordinator, other Judges, players and Tournament
21 Organizers in their communities.

22 37. Despite these hours of work performed by Judges at or in preparation for Events,
23 Wizards has refused to maintain records of all these hours worked or require all Judges to report their
24 time spent performing Judge duties. Though Wizards failed to maintain these time records, Plaintiff is
25 informed and believes that Wizards maintains other contemporaneous data and records that could be
26 used to accurately recreate the time spent by Judges performing their work duties described above.

D. Wizards Has the Right to and Does Control the Work of Judges

38. Judges provide Wizards with a highly specialized work force and fulfill a role that is critical to Wizards' business: facilitating the Events that provide the primary source of advertising and sale of Magic playing cards, the larger day-to-day business activity of and primary revenue source for Wizards.

39. To make this workforce easily identifiable, and therefore readily available to assist customers and retailers, Wizards requires that all Judges wear uniforms when judging Magic Events. *See* Exhibit 13, "Judge Uniform Policy" ("To help maintain the professionalism and look of Magic events, all judging staff members have a distinctive uniform they wear while judging.") This Wizards required uniform includes a shirt provided by Wizards and professional Magic Judge nametags for all certified Judges, which the Wizards Judge Manager distributes to Judges through the Regional Coordinators.

40. To ensure the quality and integrity of this workforce, Wizards requires that judges be certified to work at sanctioned Events and then maintains strict control over the qualifications to become a certified Judge and to maintain that certification over time. Wizards' certification criteria is uniformly applied to Judges by Wizards for each respective Judge level and ranges from requiring study of various Wizards policy documents and passing written exams to mentoring lower level Judges and serving as brand ambassadors for Wizards. To become certified, Wizards requires that Judges learn an extensive amount of detailed and complex rules, policies and procedures. At all times, Wizards, through its Judge Manager, has played an active role in developing and propounding these rules, policies and procedures, occasionally contracting with senior-level judges to further develop the rules, policies, and procedures, which all Judges are expected to learn according to their level.

41. Wizards maintains a system of Judge Levels from one to three (formerly five), with increasing work requirements. Wizards' website explains that, "Level 1 and 2 Judges typically adjudicate hobby store-based events", and "Level 2 Judges also mentor and test new candidates for Level 1." *See* Exhibit 8, "What is a Judge." Level 3 Judges are "leaders of premier organized play and judge communities in their regions", and their job duties include mentoring Level 1 and 2 Judges, as well as assisting higher level Judges with directing portions of the Judge Certification Program. *See id.*

1 Wizards directs its Judge Manager and Regional Coordinators to recognize and encourage talented
2 players to become Judges and talented Judges to advance through the Judge program.

3 42. The requirements for certification as a Magic judge are substantial. Becoming a Level
4 1 Judge requires dozens of hours of study time, taking a written test which lasts several hours, judging
5 at least two sanctioned Magic events, spending hours being mentored by a higher-level judge and at
6 least one hour per week involved in non-judging activities with the goal of helping Wizards build the
7 Magic community. Obtaining certification as a Level 2 judge requires an even greater time
8 commitment. To become a Level 2 judge, Wizards requires a candidate to pass comprehensive testing
9 on over three hundred (300) pages of detailed written materials including Wizards' Tournament Rules,
10 Comprehensive Rules, and Infraction Policy Guide and to work enough events as a Level 1 judge to
11 obtain the approval and recommendation of other higher level judges. In order to become the highest-
12 level judge (a Level 3), the Judge must demonstrate a mastery of the rules and leadership in the
13 community. Wizards' Judge Manager and the Regional Coordinators play an active role in selecting
14 which Judges are ready to pursue Level 3 candidacy. When selected, the Level 3 candidate's
15 adherence to Wizards' Level 3 checklist is confirmed by a Wizards-appointed Level 3 Verification
16 Committee. If qualified, the candidate sits for more comprehensive rules testing and for a three-person
17 panel interview.

18 43. Once certified, Wizards requires all Judges to continuously maintain their certification,
19 which requires approximately twenty-five hours per month per Judge level. Roughly every three
20 months, Judges must study and learn Wizards-issued updates and changes to its gameplay rules and
21 policies. Wizards requires Judges to read and stay apprised of extensive announcements, directives,
22 instructions, rulings, and discussions disseminated by Wizards through websites and emails, to provide
23 their contact information to Wizards, to create reports, to renew their certifications with regular testing,
24 to recruit and train other Judges, to provide detailed evaluations of other Judges, and to administer
25 Wizards' policies and procedures on Wizards' behalf. Wizards, its Judge Manager, and Regional
26 Coordinators monitor Wizards' OPIS database to ensure Judges continue to meet their certification
27 criteria and to note when a Judge appears ready for advancement. If a judge fails to maintain the
28 certification requirements, the Regional Coordinator will contact them with a warning. If the Judge

1 allows his or her certification to lapse, the Judge is automatically demoted down one level, and may
2 ultimately be decertified (i.e., fired) by Wizards.

3 44. Failure of a Judge to act in accordance with Wizards policies at any time is considered a
4 breach of the Judge's certification that can and does result in disciplinary or other punitive measures
5 against the offending Judge by Wizards. Wizards publishes the Magic Judge Code, Wizards' version
6 of the employee code of conduct, which sets forth mandatory requirements for Judges including a
7 description of the requisite values and principles of Judge conduct, examples of misconduct, and an
8 explanation of forms of discipline. *See* Exhibit 14, "Magic Judge Code" and Exhibit 15, "Magic Judge
9 Code Published by Wizards" (on information and belief, listed Judges are contracted by Wizards in
10 various capacities). In the Magic Judge Code, Wizards writes, "[t]his document helps judges
11 understand their responsibilities. It's here to help define what is acceptable and what isn't." On
12 information and belief, Wizards ensures that the Magic Judge Code is promulgated and followed by
13 contracting with a Judge to serve as the head of the Judge Conduct Committee, which implements the
14 Judge Code and investigates conduct violations.

15 45. The scope of Wizards' expectations regarding Judge conduct is broad: the Judge Code
16 applies to Judges "[d]oing anything while wearing judge attire, [d]oing anything while representing
17 themselves as a judge ... using a photo of themselves in a judge shirt as their icon on social media or
18 bringing up their judge status in order to gain trust ... [c]ontributing to an official judge discussion
19 website." Wizards further extends its expectations to "conduct by a judge who is at a Magic event in a
20 non-judge role, a judge who is addressing an audience which is primarily focused on Magic, a judge
21 who is or speaking as a person who is strongly associated with Magic and/or judging ... [p]laying or
22 otherwise attending a Magic event in a non-judge capacity, [p]laying, trading, or interacting with
23 others on Magic Online, [p]osting on an unofficial Magic site or Magic related social media ... and
24 [a]ttending a social event organized alongside a Magic event." *See* Exhibit 14, "Magic Judge Code."

25 46. Critically, the Judge Code broadly defines Judge misconduct to include any failure to
26 appear or work as a Judge once registered for an Event. In other words, Wizards and its Judge Code
27 require Judges to attend and perform all expected Judge duties when registered to work an Event.
28

1 Failure to work all required hours, to perform all required duties, or to show up at all constitutes
2 grounds for discipline, demotion, suspension, or even de-certification (i.e. termination).

3 47. If Wizards determines that a Judge has violated its rules or procedures, Wizards retains
4 the right to refuse to engage Judges for a certain period of time, or even indefinitely, as Wizards can
5 suspend, demote, or de-certify any of its Judges:

6 A suspension enforces a period of separation from the Judge Program as
7 an opportunity to reflect and change behavior. It identifies problematic
8 behavior to the suspended judge and encourages a change in that behavior
9 as a condition of rejoining the Judge Program. A suspension is also an
affirmation of the seriousness with which the Judge Program approaches
problematic behavior. *See* Exhibit 14, “Magic Judge Code.”

10 48. Judges can be demoted to the status of a lower level Judge “when the actions of the
11 Judge were unbecoming of their level, or where the prestige, authority, or responsibilities associated
12 with a judge’s level were an important factor in the misconduct.” *See* Exhibit 14, “Magic Judge Code.”
13 Wizards can also decertify the Judge so that s/he is no longer able to be part of the Judge Program.
14 There is no difference between a demotion and a suspension for Level 1 Judges. *See id.*

15 49. On information and belief, Wizards has the right to and does discipline Judges for a
16 range of behaviors including cheating, prematurely giving away information about to-be-released
17 cards, poor performance reviews, and providing incorrect Judge foils or box sets to Magic players.
18 The full scope of suspensions and de-certifications executed against Judges by Wizards will be
19 determined in discovery, but even at this early stage Plaintiff has evidence of at least two dozen judges
20 who were suspended unilaterally by Wizards in the southeast region of the United States, with the
21 decision to suspend them being made solely by Wizards.

22 50. By demoting a Judge, Wizards limits the type of events in which they may judge; for
23 example, Level 1 judges cannot judge in the main event of a Grand Prix. Decertification means the
24 Judge may not perform Judge work at Wizards-sanctioned events (or the Tournament Organizer risks
25 losing its WPN status), and a suspension or ban precludes a Judge from playing, working, or in some
26 cases, even attending, Wizards’ sanctioned events. Thus, by retaining the right to discipline and
27 disciplining Judges, Wizards retains the ability to prevent Judges from working and thereby earning
28 the income on which they rely.

1 51. At all times, Wizards maintains control over all aspects of Magic Judge qualifications,
2 expectations, responsibilities, conduct, and duties.

3 **E. Wizards Fails to Compensate Magic Judges for their Work or Adhere to Labor Laws**

4 52. Despite the long-standing requirement that employees must be paid for all hours worked
5 under California law and the FLSA, Wizards has a uniform policy of refusing to pay employee wages
6 to Judges for all the hours they work at Events. Instead, Wizards treats its Judges either as
7 “volunteers” who it compensates indirectly with Magic products or giveaways, or in some cases, as
8 independent contractors who it or a third-party Tournament Organizer inadequately compensates for a
9 limited period.

10 53. On information and belief, Wizards only enters into independent contractor agreements
11 with Judges at the premier-level events it organizes itself, including, for example the Pro Tour and
12 World Magic Cup. For all other events, Wizards only compensates Judges in kind, by providing the
13 Tournament Organizer or Regional Coordinators promotional product support (including free Magic
14 cards) intended to compensate Judges for their hard work.

15 54. Although Wizards fails to compensate Judges of all sanctioned Events, Wizards
16 recognizes that compensation is justified. Regarding the practice of some stores to occasionally
17 compensate Judges with playing cards, Wizards states on its website that “[b]eing a Judge demands a
18 lot of effort and preparation. Don’t feel ashamed for being rewarded for this.” *See* Exhibit 9, “What
19 does it mean to be a certified Judge?” On information and belief, Wizards’ compensation policy for
20 Events handled by Tournament Organizer has been to send the Tournament Organizer or applicable
21 Regional Coordinator promotional product in quantities determined by Wizards, with an understanding
22 that the product will be used to compensate the Judges for the work they perform at the Event.

23 55. For most of the class period, Wizards provided “Magic: the Gathering Tournament
24 Support Kits” (hereinafter “Support Kits”) to Tournament Organizers who organize Events. All of the
25 materials provided in the Support Kits are produced by Wizards, including the prizes, which by way of
26 example for Friday Night Magic, consist of “two packs containing 16 exclusive premium [Magic]
27 cards.” *See* Exhibit 16, “Prize Support Kits” *and* Exhibit 17, “Friday Night Magic Prize Support.” In
28 addition to the event-specific Support Kits, Wizards provides “Booster Boxes” – made up of 36 packs

1 of regular Magic cards – to Tournament Organizers, and Judge Foils packs – containing four to six
2 limited-edition cards with special artwork – to Regional Coordinators.

3 56. Wizards and Tournament Organizers rely on Support Kits, Booster Boxes, and Judge
4 Foils to compensate Judges for their work at Events and regularly distribute product support to Judges
5 for that purpose. On information and belief, Booster Boxes may be distributed by the Tournament
6 Organizer, but Wizards requires that the Regional Coordinator, Head Judge, or other Wizards
7 employee distribute the Foils. In preparation for Events where Wizards will provide Foil Support, the
8 Regional Coordinator provides the list of approved Judges to Wizards’ Judge Manager, who then sends
9 one pack per level per judge to the Regional Coordinator to be distributed at the event.

10 57. Judges, in turn, sell these products on a secondary market to attempt to recover their out
11 of pocket expenses. On information and belief, a Booster Box is valued at approximately eighty
12 dollars on the secondary market, and Judge Foils sell for approximately \$250 to \$400 each on the
13 secondary market, with some Foils selling \$750 to \$1000 for a single card. On information and belief,
14 in the last year or two, Tournament Organizers have begun to enter into independent contractor
15 agreements with Judges working Grand Prix events. However, for most Judges during the Class
16 Period, Wizards-supplied product has been their only compensation for the Judge duties performed at
17 and in preparation for Events.

18 58. Plaintiff is informed and believes that, in agreeing to judge Events, Judges have
19 generally known in advance exactly how much product to expect as compensation because there is an
20 open and ongoing conversation in the Judge community about minimum acceptable thresholds of
21 product compensation. Moreover, Wizards directly determines the quantity and type of Foils to be
22 distributed at Events (e.g. one pack per judge per level at Grand Prix). Accordingly, Wizards
23 subsidizes the work performed by Judges at Events with product support delivered under the auspices
24 of “player prizes” and “judge incentive recognition” amidst an environment where everyone involved
25 knows and expects the product support to be used to compensate Judges.

26 59. Plaintiff is informed and believes that Judges are and have been subject to the same
27 Wizards compensation policies and practices whereby they are not paid minimum wages or overtime
28 wages for the all work they perform on behalf of Wizards. Wizards and its agents also uniformly

1 failed to reimburse Judges for all work-related expenses, such as food, travel, or hotel
2 accommodations, incurred while working as a Judge. Judges often rely on Wizards' product
3 giveaways as their primary or even sole form of expense reimbursement. Thus, Plaintiff and the
4 putative opt-ins raise common allegations that these compensation and reimbursement policies violate
5 the FLSA, especially since for-profit private sector employers, like Wizards, may not accept volunteer
6 services from employees.

7 60. During the Class Period, Wizards failed to pay Judges legally required minimum or
8 overtime wages or other minimum working condition benefits/pay for work performed on behalf of
9 Wizards except in the few instances Wizards' entered into independent contractor agreements with
10 Judges. On information and belief, there are nearly four thousand Judges throughout the United States

11 61. During the Class Period, Wizards did not provide statutorily required meal breaks to all
12 Judges who perform work at or for Wizards sanctioned Events. Plaintiff and similarly situated Judges
13 have worked in excess of five (5) hours and at times ten (10) hours a day without being provided at
14 least half hour meal periods in which they were relieved of their duties. Wizards did not provide
15 statutorily required rest breaks to all Judges who perform work at or for Wizards sanctioned Events.
16 Plaintiff and similarly situated Judges have regularly worked in excess of 3.5 hours without being
17 provided with an off-duty rest break.

18 62. During the Class Period, Wizards has also systematically failed to record the actual
19 hours worked by Plaintiff and similarly situated Judges. As a result, Wizards failed to itemize the total
20 hours worked and did not furnish any form of wage statement to Plaintiff or similarly situated Judges.
21 Plaintiff is informed and on that basis alleges that Defendant has not properly maintained any payroll
22 records showing any of the required information, including the actual hours worked each day by
23 Judges. Wizards also failed to pay all timely wages owed to Judges within 72 hours of the termination
24 of their employment.

25 63. The work performed by Judges is performed under close supervision and control by
26 Wizards that creates an employer-employee relationship which obligates Wizards to pay Plaintiff and
27 similarly situated Judges wages owed under the Fair Labor Standards Act and the California Labor
28 Code, including but not limited to minimum and overtime wages and wages for missed meal and rest

1 periods. Wizards, by creating an employer-employee relationship with Plaintiff and the Classes was
 2 also required to comply with other provisions of the California Labor Code including the requirements
 3 to furnish accurate and timely wage statements, maintain adequate payroll records, and reimburse
 4 reasonable employee business expenses.

5 **V. NATIONWIDE COLLECTIVE ACTION ALLEGATIONS**

6 64. Pursuant to 29 U.S.C. § 216, Plaintiff seeks to prosecute this FLSA claim as a collective
 7 action on behalf of all persons who are or were level 1, 2, or 3 Judges who worked for Wizards of the
 8 Cost, LLC in the United States at any time since January 12, 2013 through the trial and all persons
 9 (“Collective Action Members”).

10 65. There are numerous similarly situated current and former level 1, 2, and 3 Judges
 11 throughout the country who would benefit from the issuance of a Court-supervised notice of the instant
 12 lawsuit and the opportunity to join the instant lawsuit. Those similarly situated employees are known
 13 to Defendant and are readily identifiable through Defendant’s records.

14 66. Plaintiff and other level 1, 2, and 3 Judges are similarly situated because they all
 15 performed work as certified Judges for Wizards in the United States since October 29, 2012 for which
 16 they were not paid minimum wages or overtime wages for hours worked in excess of forty (40) in a
 17 week. In addition, as a result of its failure to pay minimum and overtime wages due, Defendant has
 18 failed to make, keep and preserve records with respect to each of its employees sufficient to determine
 19 the wages, hours, and other conditions and practices of employment in violation of the FLSA.

20 **VI. CLASS ACTION ALLEGATIONS**

21 67. Plaintiff brings this action on behalf of himself and all similarly situated Judges, as a
 22 class action pursuant to Federal Rule of Civil Procedure Rule 23. The class which Plaintiff seeks to
 23 represent is defined as: All current and former Judges levels one to three who performed Judge duties
 24 at or for Wizards sanctioned events in California during the period commencing four years from the
 25 filing of this action through the entry of final judgment in this action.

26 68. Plaintiff may hereby amend and further modify the classes described herein into
 27 divisions for particular issues.
 28

1 69. The claims herein have been brought and may properly be maintained as a class action
2 under Federal Civil Procedure Rule 23 because the proposed class satisfies Rule 23(a) requirements of
3 numerosity, typicality, adequacy, commonality as well as Rule 23(b)(3) requirement of predominance
4 and superiority and Rule 23(b)(2) requirement that the requested declaratory and injunctive relief is
5 sought on grounds generally applicable to the class.

6 70. **Ascertainability:** The proposed classes consist of readily ascertainable persons. The
7 entire membership of the classes is unknown to Plaintiff at this time; however, the identity of such
8 membership is readily ascertainable via inspection of Defendant's records of Judges.

9 71. **Numerosity:** Plaintiff is informed and believes, and based thereupon alleges, that the
10 proposed class is numerous, likely exceeding 300 during the Class Period. The potential quantity of
11 Class members is so numerous that joinder of all members would be unfeasible and highly impractical.

12 72. **Typicality:** The claims of Plaintiff for damages, penalties, and restitution are typical of
13 all proposed class members. Plaintiff and the proposed Class suffered a common injury as a result of
14 Defendant's common course of unlawful conduct.

15 73. **Adequacy:** Plaintiff is a member of the proposed class. Plaintiff is informed of his
16 duties as a class representative and has committed to serving in that capacity as a fair and adequate
17 representative. Plaintiff's interests in the pursuit of the case are not adverse to the interest of other
18 class members, and Plaintiff is aware of no conflicts of interest that are capable of destroying his
19 adequacy to pursue the claims made herein. Plaintiff's counsel are competent and experienced in
20 litigating complex wage and hour class actions.

21 74. **Superiority:** Class certification is appropriate because a class action is superior to
22 other available means for the fair and efficient adjudication of this controversy. Each class member
23 has been damaged and is entitled to recovery by reason of Defendant's illegal policies and practices set
24 forth above. Class action treatment will allow those similarly situated persons to litigate their claims in
25 the manner that is most efficient and economical for the parties and the judicial system.

26 75. **Existence and Predominance of Common Questions of Fact and Law:** There are
27 common questions of law and fact as to the members of the Classes which predominate over questions
28 affecting only individual members of the Classes including, without limitation:

- a. Whether a for-profit company can evade state labor laws through use of unpaid volunteer labor;
- b. Whether Wizards is an employer of Plaintiff and the Class within the meaning of California Labor Code;
- c. Whether Wizards is an employer of Plaintiff and the Class within the meaning of the FLSA;
- d. Whether Defendant's failure to compensate Plaintiff and the Class violates California's minimum and overtime wage laws;
- e. Whether Defendant's failure to compensate Plaintiff and the Class violates FLSA's minimum and overtime wage laws;
- f. Whether Defendant's failure to provide meal and rest periods to Plaintiff and the Class violates the California Labor Code;
- g. Whether Defendant's failure to furnish timely and accurate wage statements violates the California Labor Code;
- h. Whether Defendant's failure to maintain adequate payroll records violates the California Labor Code;
- i. Whether Defendant was required, under the California Labor Code, to reimburse Plaintiff and the Class for their necessary business expenses; and
- j. Whether Defendant's California Labor Code violations constitute unlawful, unfair, and/or fraudulent business practices, under Business & Professions Code § 17200, *et seq.*

76. **Manageability of Class and Common Modes of Proof:** The nature of this action and the nature of laws available to Plaintiff make use of the class action format a particularly efficient and appropriate procedure to afford relief to Plaintiff for the wrongs alleged herein. Specifically, Defendant maintains all records necessary to identify each and every Class member. Plaintiff is also informed and believes, and based thereon alleges that Defendant keeps detailed records of the identity of Judges, Judges' contact information, and the tournaments at which each Judge worked. To the extent the Defendant maintains inadequate records, or has not retained records, Plaintiff proposes surveys, representative testimony of Class members, and record sampling done on a statistically

1 significant and randomized basis to prove each claim as hereinafter alleged. Initial investigation shows
 2 a clear and common pattern and practice of California Labor Code and FLSA violations to both lower
 3 their labor costs and to increase their profitability for game and game-related product sales. Further,
 4 Defendant utilized this uniform practice and procedure to gain an unfair competitive advantage over
 5 other sellers of game and game-related products by lowering its labor costs. The unpaid wages in this
 6 case are easily capable of being estimated in part, by reference to Wizards' databases which record,
 7 *inter alia*, the number of "rounds" judged by each Judge. A time value may be assigned to each round
 8 in the absence of the required time cards, aggrieved employees may estimate their unpaid hours of
 9 work, including training time, set up time, etc. *Hernandez v. Mendoza*, 199 Cal. App. 3d 721, 727-28
 10 (1998) (where employer fails to keep accurate records of hours worked, plaintiff's credible evidence
 11 regarding hours worked is dispositive). The damages for unreimbursed business expenses can be
 12 determined based on surveys and representative testimony. Plaintiff and the members of the Class
 13 herein mentioned are entitled to monies and information unlawfully withheld from them by Defendant.
 14 Further, the public is entitled to restitution and disgorgement of those funds being improperly withheld
 15 by Defendant. This action is brought for the benefit of the public, for the benefit of the affected
 16 employees, to promote the public policy of the State of California to protect employee wages and to
 17 prevent unfair competition in lending.

18 **FIRST CAUSE OF ACTION**

19 **(Failure to Pay Minimum Wages in Violation of California Labor Code §§ 204, 1182.12, 1194, 1197, and I.W.C. Wage Order 4-2001)**

20 77. Plaintiff re-alleges each paragraph of this Complaint as though fully set forth.

21 78. Labor Code § 1194(a) provides that "Notwithstanding any agreement to work for a
 22 lesser wage, any employee receiving less than the legal minimum wage or the legal overtime
 23 compensation applicable to the employee is entitled to recover in a civil action the unpaid balance of
 24 the full amount of this minimum wage or overtime compensation, including interest thereon,
 25 reasonable attorney's fees, and costs of suit."

26 79. Labor Code § 1194.2(a) provides that, "In any action under . . . Section 1194 to recover
 27 wages because of the payment of a wage less than the minimum wage fixed by an order of the
 28

1 commission, an employee shall be entitled to recover liquidated damages in an amount equal to the
2 wages unlawfully unpaid and interest thereon.”

3 80. Plaintiff and similarly situated Judges performed work on behalf of Defendant without
4 monetary compensation, during the course of their employment, as required by Labor Code §§ 204,
5 1182.12, 1194, 1197 and I.W.C. Wage Order 4-2001.

6 81. As a result of Defendant’s unlawful acts, Plaintiff and similarly situated Judges have
7 been deprived of compensation in an amount to be determined at trial, and are entitled to recovery of
8 such amounts, plus interest thereon, liquidated damages under Labor Code § 1194.2, and attorneys’
9 fees and costs, under Labor Code §§ 218.5, 218.6, and 1194.

10 82. Plaintiff, on behalf of himself and similarly situated Judges, also requests further relief
11 as described below.

12 **SECOND CAUSE OF ACTION**
13 **(Failure to Pay Overtime Wages in Violation of California Labor Code §§ 204, 510, 1194, 1198,**
14 **and I.W.C. Wage Order 4-2001)**

14 83. Plaintiff re-alleges each and every paragraph of this Complaint as though fully set forth.

15 84. Labor Code § 510 and the “Hours & Days of Work” Section of the I.W.C. Wage Order
16 entitles non-exempt employees to one and one-half times their hourly pay for any and all hours worked
17 in excess of eight (8) hours up to and including twelve (12) hours in any work day, for the first eight
18 (8) hours worked on the seventh (7th) consecutive day of work in a work week, and for any work in
19 excess of forty (40) hours in any one work week.

20 85. Plaintiff and similarly situated Judges regularly worked in excess of eight (8) hours per
21 day without compensation.

22 86. By failing to pay overtime compensation to Plaintiff and similarly situated Judges,
23 Defendant violated and continues to violate Labor Code §§ 204, 510 and I.W.C. Wage Order 4-2001.

24 87. As a result of Defendant’s unlawful acts, Plaintiff and similarly situated Judges have
25 been deprived of overtime compensation in an amount to be determined at trial, and are entitled to
26 recovery of such amounts, plus interest thereon, attorneys’ fees and costs, under Labor Code § 1194.

27 88. Plaintiff, on behalf of himself and similarly situated Judges, also requests further relief
28 as described below.

THIRD CAUSE OF ACTION

(Failure to Provide Mandated Meal Periods in Violation of California Labor Code §§ 226.7, 512, and I.W.C. Wage Order 4-2001)

89. Plaintiff re-alleges each paragraph of this Complaint as though fully set forth.

90. Defendant failed to maintain a policy of providing meal breaks as required by Labor Code §§ 226.7, 512 and I.W.C. Wage Order 4-2001.

91. Since at least four years prior to the filing of this action, Plaintiff and similarly situated Judges have worked in excess of five (5) hours and at times ten (10) hours a day without being provided at least half hour meal periods in which they were relieved of their duties, as required by Labor Code §§ 226.7 and 512 and Wage Order 4-2001.

92. Because Defendant failed to provide proper meal periods, it is liable to Plaintiff and all similarly situated Judges for one hour of additional pay at the regular rate of compensation for each work day that the proper meal periods were not provided, pursuant to Labor Code § 226.7 and Wage Order 4-2001, as well as interest thereon, plus reasonable attorneys' fees and costs of suit.

93. Plaintiff, on behalf of himself and similarly situated Judges, also requests further relief as described below.

FOURTH CAUSE OF ACTION

(Failure to Provide Mandated Rest Periods in Violation of California Labor Code § 226.7 and I.W.C. Wage Order 4-2001)

94. Plaintiff re-alleges each paragraph of this Complaint as though fully set forth.

95. Since at least four years prior to the commencement of this action, Plaintiff and similarly situated Judges have regularly worked without any rest periods that are required by I.W.C. Wage Order 4-2001. *See Brinker*, 53 Cal. 4th at 1029 ("Employees are entitled to 10 minutes rest for shifts from three and one-half to six hours in length, 20 minutes for shifts of more than six hours up to 10 hours, 30 minutes for shifts of more than 10 hours up to 14 hours, and so on.").

96. Because Defendant failed to provide proper rest periods, it is liable to Plaintiff and similarly situated Judges for one hour of additional pay at the regular rate of compensation for each workday that the proper rest periods were not provided, pursuant to Labor Code § 226.7 and Wage Order 4-2001, as well as interest thereon, plus reasonable attorneys' fees and costs of suit.

1 97. Plaintiff, on behalf of himself and similarly situated Judges, also requests relief as
2 described below.

3 **FIFTH CAUSE OF ACTION**
4 **(Failure to Reimburse for Business Expenses in Violation of**
5 **California Labor Code § 2802)**

6 98. Plaintiff re-allege each paragraph of this Complaint as though fully set forth.

7 99. Labor Code § 2802 provides that “[a]n employer shall indemnify his or her employee
8 for all necessary expenditures or losses incurred by the employee in direct consequence of the
9 discharge of his or her duties.”

10 100. Beginning at least three years prior to the filing of this complaint, in order to discharge
11 his Judge-related duties for Defendant, Plaintiff and similarly situated Judges have incurred expenses
12 during two to three-day tournaments, such as for meals, lodging, and laundering the single uniform
13 provided to each Judge, which were not reimbursed by Defendant.

14 101. Plaintiff and similarly situated Judges are entitled to reimbursement for these necessary
15 expenditures, plus interest and attorneys’ fees and costs, under Labor Code § 2802.

16 102. Plaintiff, on behalf of himself and similarly situated Judges, also requests relief as
17 described below.

18 **SIXTH CAUSE OF ACTION**
19 **(Late Payment of Wages in Violation of California Labor Code § 204)**

20 103. Plaintiff re-alleges each paragraph of this Complaint as though fully set forth.

21 104. At all relevant times, Labor Code § 204 provides that all wages earned by any person in
22 any employment between the 1st and the 15th days, inclusive, of any calendar month, other than those
23 wages due upon termination of an employee, are due and payable between the 16th and the 26th day of
24 the month during which the labor was performed.

25 105. At all relevant times, Labor Code § 204 provides that all wages earned by any person in
26 any employment between the 16th and the last day, inclusive, of any calendar month, other than those
27 wages due upon termination of an employee, are due and payable between the 1st and the 10th day of
28 the following month.

106. At all relevant times, Labor Code § 204 provides that all wages earned for labor in excess of the normal work period shall be paid no later than the payday for the next regular payroll period.

107. During the relevant time period, Defendant willfully failed to pay Plaintiff and similarly situated Judges all wages due to them, including but not limited to minimum and overtime wages, wages for missed meal and rest breaks, and necessary business-related costs and expenses, within any time period permissible by Labor Code § 204.

108. Plaintiff and similarly situated Judges are entitled to recover all remedies available for violations of Labor Code § 204, including Labor Code § 210, which provides that every person who fails to pay the wages of each employee in violation of Labor Code § 204 shall be subjected to a civil penalty of one hundred dollars (\$100) for each initial violation and two hundred dollars (\$200) for each subsequent violation, plus twenty-five percent (25%) of the amount withheld.

109. Plaintiff, on behalf of himself and similarly situated Judges, also requests relief as described below.

SEVENTH CAUSE OF ACTION
(Failure to Furnish Timely and Accurate Itemized Wage Statements
in Violation of California Labor Code §§ 226, 226.3)

110. Plaintiff re-alleges each paragraph of this Complaint as though fully set forth.

111. Labor Code § 226 requires an employer to furnish its employees with an accurate itemized statement in writing showing, among other things: (1) gross wages earned; (2) total hours worked by each respective individual; (3) all deductions; (4) net wages earned; (5) inclusive dates of the period for which the employee is paid; (6) the name of the employee and an employee identification or social security number; (7) the name and address of the legal entity that is the employer; and (8) all applicable hourly rates in effect during each respective pay period and the corresponding number of hours worked by each respective individual.

112. As a pattern and practice, in violation of Labor Code § 226(a), Defendant did not provide Plaintiff or similarly situated Judges with accurate itemized wage statements in writing showing: (1) regular rate of pay; (2) number of hours worked; (3) gross wages earned; (4) net wages earned; (5) inclusive dates of the period for which the employee is paid; (6) the name of the employee

1 and an employee identification or social security number; (7) the name and address of the legal entity
 2 that is the employer; and (8) all applicable hourly rates in effect during each respective pay period and
 3 the corresponding number of hours worked by each respective individual. Specifically, Defendant
 4 issued no pay statements whatsoever.

5 113. Defendant has knowingly and intentionally failed to comply with Labor Code § 226(a)
 6 on each and every wage statement provided to Plaintiff and Class and Subclass Members.

7 114. Pursuant to Labor Code § 226(e), the Plaintiff and similarly situated Judges are entitled
 8 to penalties as follows:

- 9 a. Fifty dollars (\$50.00) per employee for the initial pay period in which a
 10 violation occurs;
- 11 b. One hundred dollars (\$100.00) per employee for each violation in a subsequent
 12 pay period, not to exceed \$4,000 per claimant; and
- 13 c. Pursuant to Labor Code § 226(g), the Plaintiff and similarly situated Judges are
 14 entitled to injunctive relief to ensure Defendant's compliance with Labor Code §
 15 226.

16 115. Additionally, Labor Code § 226.3 imposes a civil penalty in addition to any other
 17 penalty provided by law of two hundred fifty dollars (\$250) per aggrieved employee for the first
 18 violation, and one thousand dollars (\$1,000) per aggrieved employee for each subsequent violation of
 19 Labor Code § 226(a).

20 116. The Plaintiff and similarly situated Judges are entitled to an award of costs and
 21 reasonable attorneys' fees under Labor Code § 226(h).

22 117. Plaintiff, on behalf of himself and similarly situated Judges, also requests relief as
 23 described below.

24 **EIGHTH CAUSE OF ACTION**
 25 **(Failure to Maintain Accurate Payroll Records in Violation of**
Labor Code §§ 1174, 1174.5; I.W.C. Wage Order 4-2001)

26 118. Plaintiff re-alleges each paragraph of this Complaint as though fully set forth.

27 119. Labor Code § 1174(d) requires in part that employers maintain payroll records showing
 28 the hours worked daily by their employees and wages paid to their employees. Pursuant to Labor Code

§ 1174.5, any person employing labor who willfully fails to maintain accurate and complete records required by Labor Code § 1174(d) is subject to a penalty.

120. Defendant has violated Labor Code § 1174 and I.W.C. Wage Order 4-2001 by willfully failing to keep required payroll records showing the actual hours worked each day by Plaintiff and similarly situated Judges.

121. As a direct and proximate result of Defendant's failure to maintain payroll records, Plaintiff and similarly situated Judges have suffered actual economic harm because they have been precluded from accurately monitoring the number of hours worked and thus seeking all accrued minimum and overtime wages.

122. Plaintiff, on behalf of himself and similarly situated Judges, requests further relief as described below.

NINTH CAUSE OF ACTION
(Unfair Business Practices in Violation of
California Bus. & Prof. Code §§ 17200 *et seq.*)

123. Plaintiff re-alleges each paragraph of this Complaint as though fully set forth.

124. Plaintiff brings this cause of action individually and as a representative of all others subject to Defendant's unlawful acts and practices.

125. Business and Professions Code § 17200 prohibits unfair competition in the form of any unlawful, unfair, or fraudulent business act or practice.

126. Business and Professions Code § 17204 allows "any person who has suffered injury in fact and has lost money or property" to prosecute a civil action for violation of the Unfair Competition Law.

127. Beginning at least four years prior to the filing of this action, and continuing to the present, Defendant has committed unlawful, unfair, and/or fraudulent business acts and practices as defined by Business and Professions Code § 17200 by failing to pay minimum and overtime wages, provide meal and rest breaks, pay wages on time, furnish timely and accurate wage statements, maintain accurate payroll records, and reimburse business expenses in violation of state law and the federal FLSA of 1938.

128. The above-described unlawful actions of Defendant constitute false, unfair, fraudulent and/or deceptive business practices, within the meaning of Business and Professions Code § 17200, *et seq.*

129. As a result of their unlawful acts, Defendant has reaped and continues to reap unfair benefits and illegal profits at the expense of Plaintiff, and the Class he seeks to represent. Defendant should be enjoined from this activity, caused to specifically perform its obligations, and made to disgorge these ill-gotten gains and pay restitution to Plaintiff and the members of the Class including, but not limited to, restitution of all unpaid wages, plus interest, as well as attorneys' fees and costs.

130. Plaintiff, on behalf of himself and similarly situated Judges, also requests relief as described below.

TENTH CAUSE OF ACTION
(Violation of the Private Attorney General Act ("PAGA")
Labor Code Section 2698, *et seq.*)

131. Plaintiff realleges each paragraph of this Complaint as if fully set forth.

132. California Labor Code Division 2, Part 2, Chapter 1, Section 558 provides:

(a) Any employer or other person acting on behalf of an employer who violates, or causes to be violated, a section of this chapter or any provision regulating hours and days of work in any order of the Industrial Welfare Commission shall be subject to a civil penalty as follows: (1) For any initial violation, fifty dollars (\$50) for each underpaid employee for each pay period for which the employee was underpaid in addition to an amount sufficient to recover underpaid wages. (2) For each subsequent violation, one hundred dollars (\$100) for each underpaid employee for each pay period for which the employee was underpaid in addition to an amount sufficient to recover underpaid wages. (3) Wages recovered pursuant to this section shall be paid to the affected employee.

133. Plaintiff has fully complied with the procedural requirements specified in Labor Code § 2699.3 as to each of the alleged violations. A true and correct copy of the notice sent via certified mail to the Defendant and California's Labor and Workforce Development Agency is attached as Exhibit 18. Within 33 days of mailing Exhibit 18, the Labor and Workforce Development Agency has failed to indicate that it intends to investigate the violations alleged by Plaintiff, and Plaintiff is entitled to pursue causes of action pursuant to Labor Code § 2699, *et seq.*, the Private Attorney General Act ("PAGA").

1 134. Enforcement of statutory provisions to protect workers and to ensure proper and prompt
 2 payment of wages is a fundamental public interest. Plaintiff's successful enforcement of important
 3 rights affecting the public interest will confer a significant benefit upon the general public. Private
 4 enforcement of these rights is necessary, as no public agency has pursued enforcement. Plaintiff is
 5 incurring a financial burden in pursuing this action, and it would be against the interests of justice to
 6 require the payment of attorneys' fees and costs from any recovery obtained, pursuant to, *inter alia*,
 7 Labor Code § 2699.

8 135. As a result of the violations alleged, Plaintiff, as an aggrieved employee on behalf of
 9 himself and other similarly situated employees employed by Defendant, seeks all civil penalties
 10 available pursuant to Labor Code § 2699, including all civil penalties, attorneys' fees, expenses, and
 11 costs of suit.

12 **ELEVENTH CAUSE OF ACTION**

13 **(Violation of Fair Labor Standards Act ("FLSA") 29 U.S.C. 216(b))**

14 136. On behalf of themselves and all Collective Action Members, Plaintiff re-alleges and
 15 incorporates by reference the allegations contained in the paragraphs above as if fully set forth herein.

16 137. From January 12, 2013 through trial (the "Collective Action Period"), Defendant has
 17 been, and continues to be, an employer engaged in interstate commerce and/or the production of goods
 18 for commerce, within the meaning of the FLSA.

19 138. During the Collective Action Period, Defendant employed, and/or continues to employ,
 20 Plaintiff and each of the Collective Action Members within the meaning of the FLSA.

21 139. During the Collective Action Period, PPG has had annual gross revenues in excess of
 22 \$500,000.

23 140. Plaintiff expressly consents in writing to be a party to this action, pursuant to 29 U.S.C.
 24 § 216(b).

25 141. During the Collective Action Period, Defendant had a policy and practice of refusing to
 26 compensate Plaintiff and Collective Action Members minimum wages for hours working as Level 1, 2,
 27 or 3 Judges in California. As a result of Defendant's willful failure to compensate Collective Action
 28

1 Members for all minimum wage compensation due them, Defendant has violated and continues to
2 violate the FLSA, including §§ 206(a) and 215(a).

3 142. During the Collective Action Period, Defendant had a policy and practice of refusing to
4 compensate Plaintiff and Collective Action Members overtime wages for work performed in excess of
5 40 in a week as Level 1, 2, or 3 Judges in California. As a result of Defendant's willful failure to
6 compensate Collective Action Members for all overtime compensation due them, Defendant has
7 violated and continues to violate the FLSA, including §§ 207(a)(1) and 215(a).

8 143. As a result of its failure to pay minimum and overtime wages due, Defendant has failed
9 to make, keep and preserve records with respect to each of its employees sufficient to determine the
10 wages, hours, and other conditions and practices of employment in violation of the FLSA, including
11 §§ 211(c) and 215(a).

12 144. The foregoing conduct, as alleged, constitutes a willful violation of the FLSA within
13 the meaning of the statute, 29 U.S.C. § 255(a).

14 145. Due to Defendant's FLSA violations, Plaintiff, on behalf of himself and the Collective
15 Action Members, is entitled to recover from Defendant his unpaid wages, as well as minimum wages
16 and overtime compensation, an additional amount – equal to the unpaid wages and overtime – as
17 liquidated damages, reasonable attorneys' fees, and costs and disbursements of this action, pursuant to
18 § 216(b) of the FLSA.

19 **REQUEST FOR JURY TRIAL**

20 Plaintiff requests trial by jury for all claims so triable.

21 **PRAYER FOR RELIEF**

22 WHEREFORE, Plaintiff, individually and on behalf of the proposed Class, prays for judgment
23 against Defendant as follows:

24 1. Designation of this action as a collective action on behalf of the Collective Action
25 Members and prompt issuance of notice pursuant to 29 U.S.C. §216(b) to all Collective Action
26 members, apprising them of the pendency of this action, permitting them to assert timely FLSA claims
27 in this action by filing individual consents to opt into this proceeding and appointing Plaintiff and his
28 counsel to represent the Collective Action Members.

1 2. That the Court determine that this action may be maintained as a class action;

2 3. That the Court declare that Defendant's policies and/or practices of failing to pay
3 minimum and overtime wages violate California law and the FLSA;

4 4. That the Court declare that Defendant's policies and/or practices of failing to provide
5 meal and rest breaks violate California law;

6 5. That the Court declare that Defendant's policies and/or practices of failing to timely pay
7 wages violate California law;

8 6. That the Court declare that Defendant's policies and/or practices of failing to furnish
9 timely and accurate wage statements violate California law;

10 7. That the Court declare that Defendant's policies and/or practices of failing to maintain
11 accurate payroll records violate California law;

12 8. That the Court declare that Defendant's policies and/or practices violate California law
13 by failing to reimburse all business expenses incurred by Judges in the discharge of their duties as
14 employees of Defendant;

15 9. That the Court declare that Defendant's above-mentioned policies and/or practices
16 violate Business and Professions Code § 17200, *et seq.*

17 10. An order preliminarily and permanently enjoining Defendant from engaging in the
18 practices challenged herein;

19 11. A mandatory injunction requiring Wizards to incorporate a non-profit recreational
20 gaming entity that could lawfully utilize unpaid volunteers.

21 12. An award to Judges all unpaid minimum and overtime wages, liquidated damages under
22 California Labor Code § 1194.2 and the FLSA, wages under California Labor Code § 226.7 for each
23 missed meal or rest period, and unreimbursed business expenses, and interest thereon, they are owed,
24 subject to proof at trial;

25 13. Interest accrued to date under the California Labor Code, including under Labor Code
26 §§ 204, 218.6, 221, 226.7, 510, and 2802;

27 14. Costs of suit incurred herein under the California Labor Code;
28

1 15. Reasonable attorneys' fees, including under California Labor Code §§ 226, 1194, 2699,
2 2802, and Civ. Code § 1021.5, FLSA, 29 U.S.C. § 216(b), and/or other applicable law;

3 16. For an order that Defendant make restitution to Plaintiff and the Class identified herein
4 due to their unlawful business practices as described herein pursuant to California Business and
5 Professions Code §§ 17200-17205; and

6 17. Such other and further relief that the Court may deem just and proper.
7

8 Dated: September 22, 2017

Respectfully submitted,

9 /s/ James Kan

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17 *Additional Counsel Listed on Caption Page*
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19
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EXHIBIT 1

START YOUR JOURNEY TO GREATNESS

Magic is challenging at many levels—that's what makes it so fun. Master one level and you'll still have plenty of excitement ahead as you move on to the next test. Are you ready to step up your game?

FIND A STORE NEAR YOU

FIND YOUR LEVEL

The best way to know how far you can go is to look to the next level. All kinds of Magic tournaments and events are taking place all the time, and span every skill level. Which one's right for you?

- New to the game and the world of organized tournament play? Read [Starting Out](#) for ideas on where to begin.
- Looking for more than your local tournaments have to offer? Take a look at [A Bigger Stage](#).
- Confident you can take on the top players? Find out how in [The Best of the Best](#)

STARTING OUT

Your first step is to check out a tournament held at your local game store. The best places to start are:

- [Friday Night Magic](#)
- [Prerelease Tournaments](#)
- [Magic Game Day](#)

These tournaments are usually comparatively casual affairs that typically feature:

- Formats friendly to newer players
- Lower-level rules enforcement
- A fun, welcoming atmosphere

Most players are at these types of tournaments for the same reason as you: to have a good time! It's not uncommon for even experienced players to come to Friday Night Magic with fun, experimental decks, or for new players to play one of their first tournaments at a Prerelease.

These more casual events are also great for meeting people and getting to know your local Magic community. If you have dreams of playing on the Pro Tour—or if you just want to get better and have some fun—chances are, there's someone at your local store who can help you improve.

Ready to find a local tournament? [Search for nearby stores and events.](#)

A BIGGER STAGE

Once you have a feel for tournament play and are ready for a new challenge, there are a number of options to take your game to the next level:

- [Grand Prix Trials](#)
- [Preliminary Pro Tour Qualifiers](#)
- [Magic Grand Prix](#)
- [Nationals](#)

Local stores and organizers offer tournaments with:

- A multitude of formats
- Advanced rules and enforcement
- Bigger rewards based on event size
- Higher caliber of play and competition

Skill levels vary from players who are just stepping beyond FNM to some of the best in the world.

Grand Prix Trials offer the winner two byes at a Grand Prix. Pro Tour Qualifiers earn the winner a spot on the Pro Tour. Often described as Magic festivals, Grand Prix have something for everyone, including a two-day professional-level event with a huge prize pool. Finish first or second at your National Championship and you get to represent your country at the World Magic Cup. All these events are also fun, challenging ways to hone your skills, raise your profile, and earn greater rewards.

THE BEST OF THE BEST

Once you've conquered your local scene, you're ready to compete with the best. These invitation-only events feature the top players in the game and all award Professional Planeswalker Points.

- [Pro Tour](#)
- [World Magic Cup](#)
- [World Championship](#)

If you're playing in one of these tournaments, you are among the elite. And at the end, someone will hoist a trophy and etch their name in the history of Magic. Why not you?

GET STARTED

You can always find tournaments near you by visiting the [Events locator](#). So step out the door and step up to the next great challenge!

EXHIBIT 2



FRIDAY NIGHT MAGIC

Every Friday, offer a "Night of Magic" aimed at all levels of players and make your store the place to have fun.

[NEED A JUDGE? \(HTTP://WPN.WIZARDS.COM/EN/JUDGERESOURCES\)](http://wpn.wizards.com/en/judgeresources)

Next Friday Night Magic Event:

[2017-05-12 \(/en/landing-page/events#tabs-0-body=1\)](http://wpn.wizards.com/en/landing-page/events#tabs-0-body=1)

Gateway
Advanced

Core
Advanced-Plus

WHAT IS IT?

Every Friday, participating WPN locations provide the indispensable experience of communal, face-to-face *Magic* that has been lifeblood of the game since the beginning.

Stores of Core level and above can design and deliver a suite of *Magic* activities tailored to satisfy their player community. Run as many events as you like, in any formats your players want.

Wizards of the Coast provides exclusive foil, alternate-art promo cards to be handed out at these events. Quantities will be determined by your store level.

Sign up through Wizards Event Reporter!

May						
Mon	Tue	Wed	Thu	Fri	Sat	Sun
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4

WHAT FORMATS CAN BE RUN?

You can run Friday Night Magic in any format your players like.

When you sign up in Wizards Event Reporter, you'll see two options for Friday Night Magic: Friday Night Magic—Ranked and Friday Night Magic—Casual.

Friday Night Magic—Ranked can be run in Standard, Booster Draft, Sealed, Modern, Legacy, or Vintage (traditional head-to-head, Two-Headed Giant, or Trios).

Friday Night Magic—Casual can be run in any format.

HOW MANY EVENTS CAN BE RUN?

Core level and above stores can schedule up to three Friday Night Magic—Ranked events and up to three Friday Night Magic—Casual events each week in Wizards Event Reporter.

If you want to offer more events, you can schedule additional events in WER on Friday night and run them as you would an FNM.

BEST PRACTICES

1. Sign up promptly. Scheduling for FNM is on a monthly cadence, closing on the 7th of the month prior to FNM. (Example: Scheduling for August FNM runs from June 8th to July 7th).

2. Offer various formats. You can run FNM in any format you like. Successful stores position FNM as a "night of *Magic*" with a diverse suite of offerings for players of all engagement levels.

3. Try various start times. FNM can be run at any time on Friday. Use that twenty-four hour window to make your events accessible to players of all ages and schedules. An example schedule could look something like this:

Standard	6PM
Pauper	7PM
Modern	8PM
Commander	UNTIL 10PM
Casual Magic	ALL NIGHT

Pandemonium Games' schedule offers Standard at 6PM, Pauper at 7PM, Modern at 8PM, Commander until 10PM and Casual *Magic* all night.

4. Try something new. Invented formats, zany prize support, costume contests—the most successful FNMs happen when organizers get creative!

5. Provide food and drink. Keeping players well-fed and hydrated spares them the inconvenience of leaving the store.

6. Reward the behavior you want to see in your store. Distribute all promo cards you receive for each Friday, regardless of the number of events you run. You may issue them for




any reason, but consider rewarding not just performance but sportsmanship or assisting new players. Also consider [keeping your prize pool flat \(http://wpn.wizards.com/article/how-perfect-your-prize-pool\)](http://wpn.wizards.com/article/how-perfect-your-prize-pool) to attract new players and adding other types of creative prizes to the mix, [like these ideas! \(http://wpn.wizards.com/article/3-ideas-spice-your-prizes\)](http://wpn.wizards.com/article/3-ideas-spice-your-prizes)

7. Use social media to highlight your event's winners and decks. Get permission from your winners to show off their achievements online!

8. Use our free marketing materials to advertise. Get free, easy-to-use images for flyers, posters, social media, and more [here on our site \(http://wpn.wizards.com/en/marketing\)](http://wpn.wizards.com/en/marketing).

RULES

Consult these documents for detailed rules.

	Title
	Magic Event Appeals Policy (http://wpn.wizards.com/sites/wpn/files/attachements/english)
	Organizer Code of Conduct (http://wpn.wizards.com/sites/wpn/files/attachements/organize)
	Magic: The Gathering Judging at Regular I (http://wpn.wizards.com/sites/wpn/files/attachement)

COMMON QUESTIONS

Find answers to your questions about the WPN.

Have a Question?

[Contact Us \(/en/contact-us\)](/en/contact-us)

[How do I sign up for FNM? \(/en/resources/common-questions/all/4286\)](/en/resources/common-questions/all/4286)

[What do "Tournament" and "Casual" mean? \(/en/resources/common-questions/all/6651\)](/en/resources/common-questions/all/6651)

[SEE ALL \(/EN/RESOURCES/COMMON-QUESTIONS/ALL\)](/EN/RESOURCES/COMMON-QUESTIONS/ALL)

Select your language: English

EXHIBIT 3

Bring your best Standard deck and compete to become the champion of your favorite game store! Top finishers earn special prizes, including full-art promo cards and a playmat for the winner.

WHAT HAPPENS AT GAME DAY?

Game Day events are a great opportunity to test your skills against your local Magic community in a fun, relaxed environment.

You'll be paired up to play multiple rounds of friendly competition. Each round you'll play a best-of-three-games match and report the winner to the organizer.

You'll need:

- Your own Standard deck, which is a minimum of 60 cards and has a sideboard of up to 15 cards.
- A method for tracking life totals, as well as tokens, counters, and card sleeves.

GET MORE INFO ABOUT STANDARD

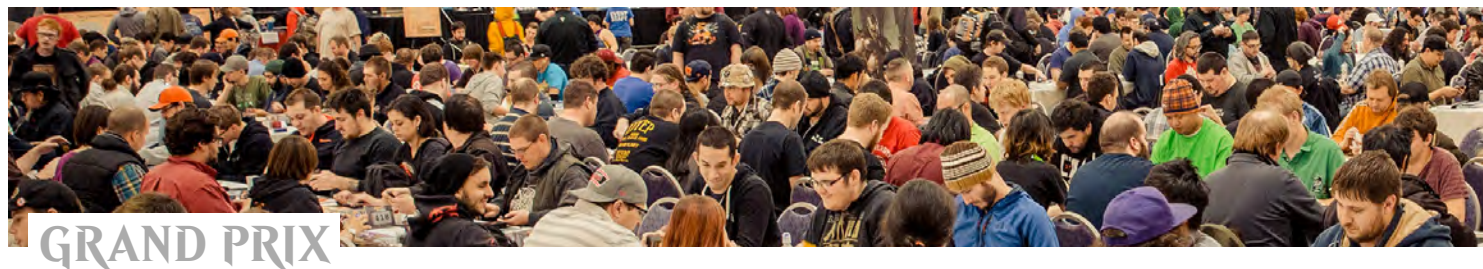
TOURNAMENT PRIZES

Each participant receives a full-art promo card (while supplies last), and the Top 8 finishers receive a premium foil full-art promo card.

The winner receives a special champion playmat to commemorate their victory.

Additional prizes may be offered. Check with your organizer for additional information.

EXHIBIT 4



Grand Prix are the biggest open Magic events run around the world. These exciting three-day festivals of all that is Magic feature a two-day main event with thousands of dollars in cash prizes. Plus, you'll find artist signings and more side events than you could possibly play in your most fevered Magic-induced dreams.

➤ GRAND PRIX SCHEDULE

FORMATS

Each Grand Prix's main event features one of a number of formats, including:

- [Standard](#)
- Limited ([Sealed Deck](#) Day One, [Draft](#) Day Two)
- [Modern](#)
- [Legacy](#)
- Team Limited

Side events, which take place all weekend concurrent with the main event, are run with any of these formats, plus a plethora of serious, casual, and even some wholly unique formats.

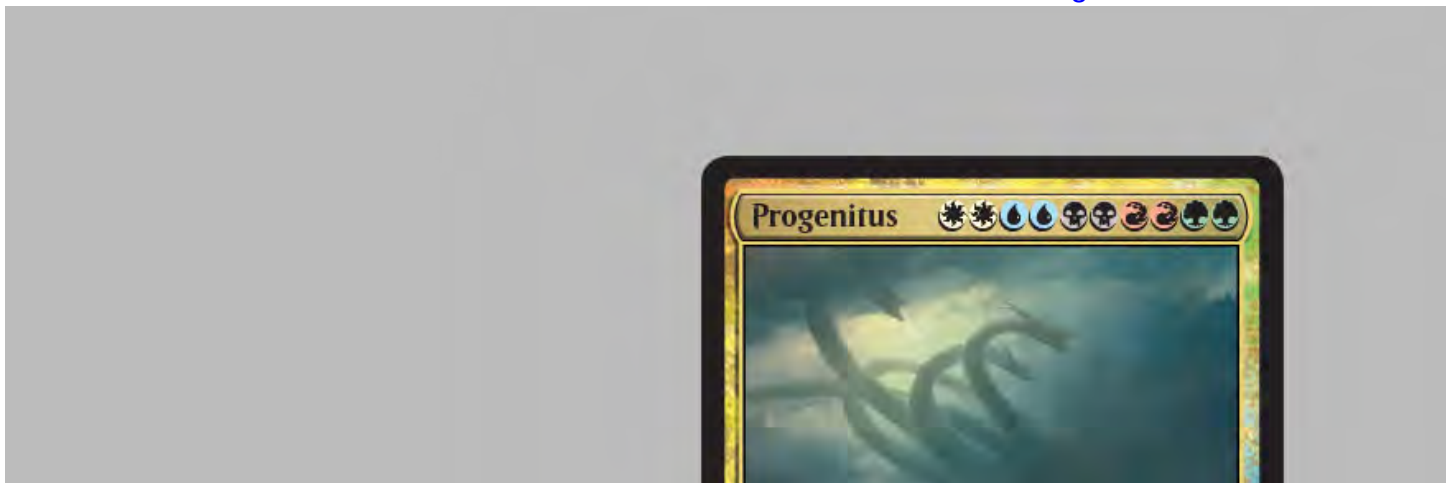
PRIZES

Prizes for the main event of a Grand Prix scale with the size of the event. Each individual Grand Prix awards a prize purse of at least \$50,000. A team Grand Prix will hand out at least \$60,000. Players are also awarded Pro Points for top finishes. The Top 8, along with everyone who earns at least 39 match points in the Swiss rounds, automatically earn invitations and airfare to an upcoming [Pro Tour](#).

Every player will receive a promo card just for participating in the main event (while supplies last). In addition, Grand Prix main events award a multiplier of 8x for all Planeswalker Points earned, and side events carry a multiplier of 3x.

Additional prizes and promotions may vary.

Below is the current year's Grand Prix main event promo card, along with the base payout used for Grand Prix main events.



WORLDWIDE PRIZE STRUCTURE

PRIZE MONEY

Prizes subject to change. All prizes displayed in US dollars.

INDIVIDUAL GRAND PRIX

Place

1

0-2,999 \$10,000

3,000+ \$10,000

2

0-2,999 \$5,000

3,000+ \$5,000

3-4

0-2,999 \$2,500

3,000+ \$2,500

5-8

0-2,999 \$1,500

3,000+	\$1,500
<i>9-16</i>	
0-2,999	\$1,000
3,000+	\$1,000
<i>17-32</i>	
0-2,999	\$500
3,000+	\$500
<i>33-64</i>	
0-2,999	\$250
3,000+	\$250
<i>65-100</i>	
0-2,999	n/a
3,000+	\$250
<i>101-180</i>	
0-2,999	n/a
3,000+	\$200

TEAM GRAND PRIX

Prizes awarded by team

<i>Place</i>	
<i>1</i>	
0-2,999	\$15,000
3,000+	\$15,000
<i>2</i>	

0-2,999	\$7,500
3,000+	\$7,500
<i>3-4</i>	
0-2,999	\$3,750
3,000+	\$3,750
<i>5-8</i>	
0-2,999	\$2,100
3,000+	\$2,100
<i>9-12</i>	
0-2,999	\$1,800
3,000+	\$1,800
<i>13-16</i>	
0-2,999	\$1,500
3,000+	\$1,500
<i>17-20</i>	
0-2,999	\$1,200
3,000+	\$1,200
<i>21-24</i>	
0-2,999	\$900
3,000+	\$900
<i>25-30</i>	
0-2,999	n/a
3,000+	\$900

31-42

0-2,999	n/a
3,000+	\$750

43-58

0-2,999	n/a
3,000+	\$600

RULES

Every Grand Prix is open to any and all participants, but there are some important rules to keep in mind.

- Day One is run at Competitive REL (Rules Enforcement Level); Day Two is run at Professional REL
- There are nine rounds on Day One and six rounds on Day Two for individual-format Grand Prix; nine rounds on Day One and five rounds on Day Two for team-format Grand Prix
- In Individual Grand Prix: All players with 18 or more match points or all players tied for 64th place—whichever is greater—qualify to play on Day Two
- In Team Grand Prix: All teams with 18 or more match points or all teams tied for 40th place—whichever is greater—qualify to play on Day Two
- Swiss rounds are 50 minutes long and best two out of three matches
- The Top 8 players at the end of 15 rounds advance to the playoffs for individual-format Grand Prix; the Top 4 teams at the end of 14 rounds advance to the playoffs for team-format Grand Prix
- Playoff matches are best two out of three, single elimination, and untimed

Players can also earn up to three byes for a Grand Prix either by winning a Last-Chance Trial, having enough [Planeswalker Points](#) Seasonal Award Points, having a specific [Pro Tour Players Club](#) level, or being a member of the [Pro Tour Hall of Fame](#).

BYES

Complete information about Grand Prix Byes can be found in the *Magic: The Gathering* [Premier Event Invitation Policy](#).

Grand Prix Byes Award Criteria

A player may be awarded byes for an individual-format Grand Prix based on one or more of the following criteria:

- Winning a Last-Chance Trial.

- Having a sufficiently high number of [Planeswalker Points](#) Seasonal Award Points.
- Having a specific [Pro Tour Players Club](#) level (Bronze, Silver, Gold, or Platinum).
- Being a member of the [Pro Tour Hall of Fame](#).

Grand Prix Bye Restrictions

Players can be awarded one-, two-, or three-round byes for individual-format Grand Prix. Byes are not cumulative within a given Grand Prix or from one Grand Prix to another. Byes may not be passed down to other players for any reason and are not transferable. Byes may not be deferred from one Grand Prix to another and must be earned each time. Players that accumulate multiple byes to a Grand Prix are awarded only the bye for the greatest number of rounds.

Byes earned through Planeswalker Points are calculated using the Planeswalker Point totals from all reported events as of the Tuesday immediately before the Grand Prix. Points earned in tournaments held at the Grand Prix event site do not count toward earned byes at that Grand Prix.

If a player is awarded a bye, he or she is considered to have earned 3 points in the Grand Prix for each of those rounds. Byes are not counted toward a player's opponent's match win percentage. Players with byes will usually have an advantage in tiebreakers over players that do not have byes.

Byes at Individual-format Grand Prix

For each Individual-format Grand Prix, byes are awarded as listed below. All listed criteria are as of the date of the specific Grand Prix:

Third-Round Byes

- Players with a [Pro Tour Players Club](#) level of Gold or Platinum.
- Members of the Pro Tour Hall of Fame.

Second-Round Byes

- Winners of Last-Chance Trial tournaments designated to award byes to that Grand Prix.
- Players who have accumulated at least 2,250 Planeswalker Points in the *current* Planeswalker Points Yearly Award Season.
- Players who have accumulated at least 2,250 Planeswalker Points in the *previous* Planeswalker Points Yearly Award Season.
- Players with a [Pro Tour Players Club](#) level of Bronze or Silver.

First-Round Byes

- Players who have accumulated at least 1,300 Planeswalker Points in the *current* Planeswalker Points Yearly Award Season.
- Players who have accumulated at least 1,300 Planeswalker Points in the *previous* Planeswalker Points Yearly Award Season.

Note: Teams are not awarded byes in team-format Grand Prix.

READY TO PLAY?

With more than 50 Grand Prix held around the world, chances are good that you'll find one nearby. Check the Grand Prix schedule for the tournaments closest to you!

➤ GRAND PRIX SCHEDULE

2017

City

BLOCK 1 for 2017 (Qualifies for Pro Tour Amonkhet)

Louisville

Country	USA
Venue	<u>Kentucky Expo Center</u>
Date	January 6–8, 2017
Format	Legacy
Organizer	StarCityGames

San Jose

Country	USA
Venue	<u>San Jose Convention Center</u>
Date	January 27–29, 2017
Format	Limited
Organizer	ChannelFireball

Prague

Country	Czech Republic
Venue	<u>PVA Expo</u>
Date	January 27–29, 2017
Format	Limited
Organizer	tournamentcenter.eu

Pittsburgh

Country	USA
Venue	David Lawrence Convention Center
Date	February 10–12, 2017
Format	Standard
Organizer	Pastimes

Vancouver

Country	Canada
Venue	Vancouver Convention Centre
Date	February 17–19, 2017
Format	Modern
Organizer	GameKeeper

Brisbane

Country	Australia
Venue	Brisbane Convention and Exhibition Centre
Date	February 17–19, 2017
Format	Modern
Organizer	Chain Links

Utrecht

Country	The Netherlands
Venue	Jaarbeurs
Date	February 24–26, 2017
Format	Standard
Organizer	Cascade Games

*BLOCK 2 for 2017 (Qualifies for Pro Tour Hour of Devastation)***New Jersey**

Country	USA
Venue	Meadowlands Exposition Center
Date	March 10–12, 2017
Format	Standard
Organizer	ChannelFireball

Barcelona

Country	Spain
Venue	Fira Barcelona
Date	March 10–12, 2017
Format	Standard
Organizer	tournamentcenter.eu

Shizuoka

Country	Japan
Venue	Twin Messe
Date	March 17–19, 2017
Format	Standard
Organizer	Big Magic

Porto Alegre

Country	Brazil
Venue	Centro de Eventos Fiergs
Date	March 17–19, 2017
Format	Standard

Organizer

Nerdz

Orlando

Country

USA

Venue

[Orange County Convention Center](#)

Date

March 24–26, 2017

Organizer

StarCityGames

San Antonio

Country

USA

Venue

[Henry B Gonzalez Convention Center](#)

Date

March 31–April 2, 2017

Format

Team Unified Modern

Organizer

Cascade Games

México City

Country

Mexico

Venue

[Hilton Mexico City Reforma](#)

Date

April 7–9, 2017

Format

Team Limited

Organizer

ChannelFireball

Richmond

Country

USA

Venue

[Greater Richmond Convention Center](#)

Date

May 5–7, 2017

Format

Limited

Organizer StarCityGames

Bologna

Country	Italy
Venue	Bologna Fiere
Date	May 5–7, 2017
Format	Limited
Organizer	Legacy

Beijing

Country	China
Venue	University of Science and Technology Beijing Gymnasium
Date	May 5–7, 2017
Format	Limited
Organizer	Panda Events

Montréal

Country	Canada
Venue	Montréal Place Bonaventure
Date	May 19–21, 2017
Format	Standard
Organizer	GameKeeper

Santiago

Country	Chile
Venue	Hotel Gran Palace
Date	May 19–21, 2017
Format	Standard

Organizer La Forja de Stone

Copenhagen

Country	Denmark
Venue	Bella Center
Date	May 26–28, 2017
Format	Modern
Organizer	ChannelFireball

Kōbe

Country	Japan
Venue	Kōbe International Exhibition Center
Date	May 26–28, 2017
Format	Modern
Organizer	Hobby Station

BLOCK 3 for 2017 (Qualifies for Pro Tour Ixalan)

Omaha

Country	USA
Venue	CenturyLink Center Omaha
Date	June 2–4, 2017
Format	Standard
Organizer	Cascade Games

Amsterdam

Country	The Netherlands
Venue	RAI
Date	June 2–4, 2017

Format	Standard
Organizer	play-mtg.eu

Manila

Country	Philippines
Venue	SMX Convention Center
Date	June 2-4, 2017
Format	Standard
Organizer	Chain Links

Las Vegas

Country	USA
Venue	Las Vegas Convention Center
Date	June 15-16, 2017
Format	Legacy
Organizer	ChannelFireball

Las Vegas

Country	USA
Venue	Las Vegas Convention Center
Date	June 16-17, 2017
Format	Limited
Organizer	ChannelFireball

Las Vegas

Country	USA
Venue	Las Vegas Convention Center
Date	June 17-18, 2017

EXHIBIT 5

PLANESWALKER POINTS

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What is Planeswalker Points?

Planeswalker Points is a worldwide system designed to reward you for playing in sanctioned Magic events. Unlike previous systems that rewarded only winning, Planeswalker Points is based on a simple premise: playing Magic is awesome and should be rewarded and winning is even better.

What is a sanctioned event?

Any event that is scheduled by an authorized tournament organizer and whose results are properly reported to Wizards of the Coast is a sanctioned event.

There are two types of sanctioned events: (1) casual, which includes any events where match results aren't reported, multiplayer events, and events with fewer than eight players (you only get 1 participation point for casual events), and (2) competitive, where the results of each round are recorded and officially reported.

How do I get points? How are they tracked?

You get points by playing in sanctioned Magic events. You'll get even more points by winning matches, by playing in larger events, and by playing in special events with higher multipliers that can increase the number of points you receive.

Click [here](#) for the complete Planeswalker Points terms and conditions

Planeswalker Points tracks your points in various ways, including Lifetime Points that allow you to level up and gain ranks. There are also different categories, like the Yearly Award Points, which are used to determine player invitations to exclusive events, award byes to Grand Prix events, and/or offer other rewards.

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How Do I Get Started?

Joining Planeswalker Points

If you have a DCI number, you are already a member of the Planeswalker Points Program. To view your points, just enter your DCI number on the Planeswalker Points page and click "View Points." If you do not have a DCI number, just follow the steps below to get started.

1 Find a Magic game near you.

Just use our [Event Locator](#).

2 Go to the event.

When you first arrive, let the Tournament Organizer know that you are a new player. You will be asked to fill out a short registration form that includes your DCI number. You will need your DCI number to log onto your Planeswalker Points profile.

3 Play

Immediately after the event ends, your Tournament Organizer will activate your account and enter your play results into the Wizards database.

4 Activate your account to view your points.

Use the Activation code on your registration form to [create a password](#) for your account. Note that you can still view your profile and points without a password, but to protect your privacy many features are disabled unless you have a password.

5 Keep playing to get more points!

[Get Started](#)

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Earning Points

Planeswalker Points rewards you for every sanctioned Magic event you play in. Here's how:

Casual Events

Play in a casual event and you get at least 1 point. Only your participation counts in casual events and you receive a fixed number of points when you participate. Points from casual events are listed as bonus points in your match history, as match results are not reported. For even greater numbers of points, competitive events are where it's at!

Competitive Events

Competitive Events count both your participation and all of your match wins and draws. Competitive events have multipliers which can increase your points even more!

Match Points

Every time you win a sanctioned match, you get 3 points! Every time you draw a sanctioned match, you get 1 point!

You can see your personal match history [here](#).

Bonus Points

We'll periodically be offering special bonus point opportunities to help you level up faster! For example, some achievements that you earn will also earn you Lifetime Planeswalker Points. Make sure to check out the "Notifications" tab after logging in to stay on top of the current bonus point opportunities.

Tracking Your Progress

The Planeswalker Points program rewards by using different points categories based on the types of events you play in. The more points you receive, the higher your achievement level, and the likelier you are to get some great rewards. You can also earn achievements based on your involvement in various events or promotions.

Here's an overview of the different points categories used in Planeswalker Points and what those points are used for.

Lifetime Points

All reported Magic play counts toward your Lifetime Points. These points never reset! Your Lifetime Points are used to determine your achievement level and rank. If the events you're playing in aren't being reported, then you're not getting points! Make sure your favorite locations are running sanctioned Magic events.

You can view your Lifetime Points, current level, and match history by logging into your Planeswalker Points account.

Lifetime Points Formula

Participation Points

The more people who play in a sanctioned event, the more participation points you get! Bring your friends to an event and you'll all get more points!

Number of Participants	Participation Points
8-15:	1
16-31:	2
32-63:	3
64-127:	4
128-255:	5
256-511:	6
512-1023:	7
1024-2047:	8
2048+:	9

Multipliers & Additional Event Points

Different types of events will qualify for different event multipliers, sending the points you get for playing them through the roof! It starts with sanctioned events at a local gaming store and progresses up through the Pro Tour. The event multiplier applies to all points you get during an event except bonus points.

Here are examples of the different event multipliers available at events:

- 1x: Sanctioned Magic tournaments, Prerelease events, Friday Night Magic
- 2x: WPN Premium Qualifiers, Game Day events
- 3x: Grand Prix Trials, Public Events at Grand Prix
- 4x: Preliminary Pro Tour Qualifiers, WPN Premium Tournaments
- 5x: World Magic Cup Qualifiers
- 8x: Regional Pro Tour Qualifiers, Grand Prix
- 12x: (Lifetime Points Only): Pro Tour, World Magic Cup, Magic World Championship

Certain special events and public tournaments at certain larger events may qualify for higher event multipliers. See the tournament fact sheets for the specific multipliers for those tournaments.

Remember: Casual events don't use event multipliers but are instead worth 1 Lifetime Point.

All Planeswalker Points allocations are subject to the Planeswalker Points terms and conditions [here](#).

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Here's how it works:

- Casual events are always worth at least 1 point, and don't include participation points or event multipliers. A casual event can have as few as two players.
- To calculate the number of points earned at a competitive event, start with [participation points](#) based on the number of players in the event.
- Then, add match points: 3 points for every match you win and 1 point for every match you draw.
- Take this total and multiply it by the event multiplier.

For example, let's say you play in a Game Day tournament with 30 players. You compete in five rounds, finishing with three wins, one draw, and one loss for a final record of 3-1-1. A tournament with 30 players is worth 2 Participation Points and the Event Multiplier for a Game Day is 2x. Also, let's say we were offering 5 bonus points to play in a Game Day that week. At this event, you'll earn:

$$\begin{aligned} & 9 \text{ points for match win (3 per win)} \\ & + 1 \text{ points for match draw (1 per draw)} \\ & + 2 \text{ participation points} \\ & = 12 \\ & 12 \times 2 \text{ (event multiplier)} \end{aligned}$$

We calculate your Lifetime Points by adding together every point you've received in sanctioned Magic events—past, present, and future—plus any bonus points you've received.

- If the event has any bonus points, add those in too (after the multiplier). You now have the total number of points earned at this event.
- We add up the points from all your events, casual and competitive, to determine your Lifetime Points.

$$\begin{aligned} &= 24 \\ &\quad + 5 \text{ (bonus points)} \\ &= 29 \text{ points that contribute to your Lifetime Points} \end{aligned}$$

Yearly Award Points

Planeswalker Points also includes a category for points gained in competitive Magic events called Yearly Award Points. Your Yearly Award Points combines all the points you got in a designated twelve-month period. For specific details click [here](#).

After a Yearly season ends, your Yearly Award Points is used to determine whether you receive byes at Grand Prix events. Those benefits last until the end of the next yearly season. Additionally, your Yearly Award Points is used to determine your eligibility for participating in your country's World Magic Cup Qualifiers.

Yearly Award Points Formula

We calculate your Yearly Award Points by adding together every point you've received in a competitive Magic event (sanctioned events that aren't casual events, Pro Tours, the World Magic Cup, or the Magic World Championship) or a designated twelve-month period. Bonus points are not included in your Yearly Award Points. Here's how it works:

- Start with participation points based on the number of players in the event.
- Then, add 3 points for every match you win and 1 point for every match you draw.
- Take this total and multiply it by the event multiplier.
- You now have the total number of points earned at this event that contribute to your Yearly Award Points.
- We add up the points from all your events within the date range of the current season to determine your Yearly Award Points.

For example, let's say you play in a sanctioned booster draft tournament at your local store with 24 players. You compete in three rounds, finishing with two wins and one loss for a final record of 2-1. A tournament with 24 players is worth 2 [Participation Points](#) and the [Event Multiplier](#) for a sanctioned tournament is 1x.

$$\begin{aligned} &6 \text{ points for match win (3 per win)} \\ &+ 0 \text{ points for match draw (1 per draw)} \\ &+ 2 \text{ participation points} \\ &= 8 \\ &8 \times 1 \text{ (event multiplier)} \\ &= 8 \text{ points that contribute to your Yearly Award Points} \end{aligned}$$

Professional Total

Planeswalker Points rewards achievement at the highest levels of competition. Professional Points determine invitations to the Magic: The Gathering World Championship, membership in the Pro Tour Players Club, and qualifies a portion of the team members for the World Magic Cup team in each country.

Professional Points Formula

Professional Points are awarded based on your performance at Pro Tour, Grand Prix, World Magic Cup, and Magic World Championship events. As a result there is no specific formula used to calculate your points directly; instead, points are awarded based on your overall finish in these tournaments and all of those points are added up over the course of a designated twelve-month period, though only your best six finishes at Grand Prix are included.

You'll find the full breakdown of Professional Points based on the event in which you participated in Appendix B [here](#).

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Earning Invitations and Byes

Planeswalker Points gives players like you an opportunity to qualify for exclusive invitation-only events like the World Magic Cup Qualifiers. You can also get byes at a Grand Prix, the largest, most exciting open tournament we have to offer. Click [here](#) for all the ways that Planeswalker Points may qualify you for invitations and byes. Every match of Magic you play gets you closer to some sweet rewards. Here's how it works:

Grand Prix Byes

Succeeding at a [Grand Prix](#) takes skill, determination, and strategy . . . but starting the tournament with some wins certainly helps! For each bye you have for a Grand Prix, you'll start the tournament with that many wins. For example, if you have two byes, you'll automatically win the first two rounds of the tournament.

Grand Prix byes* are awarded in a number of ways, most common being based on your Yearly Award Points total. Here is how they break down:

Individual-Format Grand Prix

Byes	Minimum Yearly Award Season Points
One-round bye	1300
Two-round bye	2250

* Players receive only the highest bye level for which they are eligible.

Until the next Yearly Points season's end date, those players will start each Grand Prix they play in with the corresponding number of wins! That's right, you'll be able to use your byes in each Grand Prix you play in until the next season's end date. And with more Grand Prix events than ever before, there are more opportunities to get points than ever before.

Click [here](#) to see the latest Grand Prix schedule

World Magic Cup Qualifiers

World Magic Cup Qualifiers are invitation-only tournaments that determine which players will represent their countries at the World Magic Cup. Qualification for the World Magic Cup Qualifiers is based on your Yearly Award Points and the points required vary by country. Find detailed information [here](#).

Pro Tour Invitations

Getting to the Pro Tour is an enormous accomplishment. Click [here](#) to read the complete Pro Tour invitation policy.

Players can qualify for the Pro Tour via a two-tier series of events. Players will compete in local-level Preliminary Pro Tour Qualifiers. Winners of these events will move on to Regional Pro Tour Qualifiers, which qualify top players in each event to the next Pro Tour, in addition to being awarded a plane ticket to the big tournament, subject to eligibility.

Click [here](#) to see the latest Pro Tour schedule and [here](#) to find a Preliminary Pro Tour Qualifier near you.

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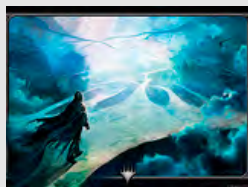
Planeswalker Points Achievements

Along with earning points at every sanctioned Magic event, you can now unlock achievements along the way.

You can earn achievements for all sorts of things, including recognition for participating in events, playing

Your achievements will not show up immediately after you play in an event. They may also not show up

Achievements are badges you can display on your Magic Scorecard and on your Planeswalker Points profile for others to see.



in a certain number of a specific event type, as a reward for winning events and more!

immediately even if the event appears in your event history. Achievements are dependent on when the event is reported and when our system processes the results, please allow up to 48 hours for your achievement to appear.

For a full list of achievements that you can earn, click [here!](#)

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Achievement Management

You can view all of your achievements using the "Achievements" tab. To manage the achievements displayed on your Magic Scorecard, you must be logged into your Planeswalker Points account. Once logged in you are able to drag and drop your achievement badges to your scorecard.

Also on this page you can enter redemption codes which, if valid, will earn you achievements. You can get these codes in a variety of ways such as from playing in events, opening them in booster packs, or online!

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Magic Scorecard

Your Magic Scorecard is the easiest way to share your Planeswalker Points and achievements with your friends. The Magic Scorecard allows you to post on your favorite forums or website for others to see how you're doing.

When you share your Magic Scorecard you're giving others a quick and easy way to see how many Planeswalker Points you've earned, how far you've progressed towards achieving your next level, and also to see your latest Planeswalker Points achievements.

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History

Using your History tab you'll be able to see a chronological view of the events you've played in, as well as a quick view that allows you to see the achievements you've earned and when you attain a new level.

In this view you're able to view your entire history of sanctioned play for Magic. From the very first you event you played in using your DCI Number to the events you've played in the most recent weeks. As events are reported to our system they will appear here.

When you are logged into the Planeswalker Points site you're able to easily share these different line items with your friends and followers via Facebook®.

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Leaderboards

Using the Leaderboards you can see how you rank against the World using a number of different filters based on types of Planeswalker Points as well as geographical filtering.

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Profile Tab

The Profile Tab is your default view for the Planeswalker Points interface, it includes your main info as well as your Activity List and it is where you have the capability to manage your achievements.

This tab is visible to the public only if they know your DCI number or if you share the link. The control functionality is only available if you log into your account on the Planeswalker Points website.

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Social Media Sharing Features

Want to show your friends your top finish? Or want to share the new achievement you earned? You can easily share these things through Facebook® using the social media buttons embedded on the Planeswalker Points site.

When you're logged into Planeswalker Points, you'll be able to share your events, achievements and levels via Facebook® by clicking their icons on the row of the event. When clicked a Facebook® window will open showing a preview. To add your own comments click the "Like" button. After you have added your comments, click the "Post to Facebook®" button to post your accomplishment!

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Event Corrections

If you notice an error in your match history, you may request an event correction. Before requesting an event correction, please review the Match History Appeals

What if I have more than one DCI Number?

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Policy, available [here](#). Once you have read this policy, click [here](#) to request an event correction.

Each event in which you play only adds to your Planeswalker Points, so you want to make sure your points are all being credited to one account. If you think you might have more than one DCI number, log into your account and use the [DCI Number Combine form](#) so we can merge all your accrued Planeswalker Points under a single number.

Terms and Conditions

Click [here](#) for all the Planeswalker Points terms and conditions.

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Signing In to Planeswalker Points

When you sign in to Planeswalker Points your session is active for as long as you keep your web browser open and are using the website. If you close your web browser, sign out, or are idle for 60 minutes, you will be automatically logged out.

When you sign into Planeswalker Points and select the "Remember Me" option, your session will be active for 1 week. While you may sign out and end your session at any time, your session will persist if you close and reopen your browser. If you do not return to Planeswalker Points within a week, you will be automatically logged out.

How do I change / reset my password?

You can change your password by clicking [here](#).

If you are unable to reset your password (possibly because we do not have your e-mail address on file), please [contact Game Support](#) for help. Please provide us your name, DCI number, current email address, any previous email addresses we may have on file, your date of birth on file and home address. If the information provided is sufficient and accurate, we'll send a new password to your current email address.

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Contact Game Support for Help

Does something in your account appear incorrect? Missing an achievement that you earned? Not seeing an event that you know has been submitted? Game Support is more than happy to help you investigate these issues.

Game Support's hours are 7am to 7pm PT.

[Click here to contact Game Support.](#)

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Player Nationality

Your nationality country is listed on your profile page after you have signed into the PWP site. Your nationality is used to determine whether you are eligible to participate in and/or receive invitations for the following:

- Geo-region-based Planeswalker Points invitations to the Magic: The Gathering World Championship.
- Eligibility to participate in or receive an invitation to a specific country's World Magic Cup Qualifier Trial and World Magic Cup Qualifier tournaments.
- Eligibility to be a member of a specific country's national team for the World Magic Cup.

How do I change my nationality?

You can request to change your nationality by filing a "Residential Eligibility Appeal" using the [Wizards Help System](#). All requests must be submitted through the Wizards Help System with the "Residential Eligibility Appeal" in the subject line. For more information about nationality, please see the Magic: The Gathering Premier Event Invitation Policy [here](#).



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[Select Language](#) [Have multiple DCI numbers?](#) [Event Corrections Form](#) [Store and Event Feedback Form](#) [FAQ](#) [Terms of Use](#) [Code of Conduct](#) [Privacy Statement](#)

EXHIBIT 6

Wizards Play Network Terms and Conditions

Last Updated: January 1, 2017

[Download a PDF copy of the Wizards Play Network Terms and Conditions](#)

Wizards of the Coast LLC (“**Wizards**”) is dedicated to bringing people together through their shared love of gaming. As part of that effort, we created a promotion program: the Wizards Play Network (the “**WPN**”). There is no fee to join or participate in the WPN, but it does require your active engagement and your agreement to the following WPN Terms and Conditions (“**WPN Terms**”). By joining the WPN, you acknowledge that, as a purely promotional program, the WPN does not create a franchise or agency relationship. Nothing in these WPN Terms preclude you from selling Wizards’ products or running unsanctioned *Magic: The Gathering*, *Duel Masters* or *Dungeons & Dragons* events.

The WPN Terms govern your participation in the WPN as a Retail Store (defined below) (referred to herein as a “**WPN Member**”).

By visiting this website and/or participating in the WPN and becoming a WPN Member, you acknowledge and agree that you have read, understood and agree to be bound by the WPN Terms including, but not limited to, the following terms, conditions and policies which are incorporated by reference:

- [Wizards Play Network Code of Conduct \(“WPN Code of Conduct”\);](#)
- [Wizards Play Network Privacy Policy \(“WPN Privacy Policy”\);](#)
- [Wizards Terms of Use;](#)
- [Wizards Code of Conduct;](#)
- Wizards Event Reporter End User License Agreement; and
- Supplemental terms communicated to you from time to time in connection with WPN programs (“**Program Terms**”).

It is your responsibility to ensure that you are in compliance with the WPN Terms. Wizards may revise, update or modify these WPN Terms, with or without warning, and in its sole discretion. We recommend that you review these WPN Terms from time to time. Your continued participation in the WPN following the posting of any such changes will constitute your acceptance to those changes.

Do not participate in the WPN if you do not agree with any portion of these WPN Terms. You may cancel your membership in the WPN (“**WPN Membership**”) at any time by following the procedures set forth in [Section 12](#).

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20. General

1. Registration. To apply for membership in the WPN, you must complete the application process [here](#) and provide any additional information reasonably requested by Wizards. You must be the age of majority in the country or territory where your Retail Store is located ("**Territory**"). Your Retail Store must participate and graduate from the WPN Orientation Program set forth in [Section 2](#). All information you submit to Wizards must be correct and accurate. During your participation in the WPN, you are solely responsible for ensuring your WPN Membership information is accurate and current. Inaccurate information may result in the termination of your WPN Membership. Wizards reserves the right to accept or reject your application for any reason in its sole discretion.

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2. WPN Orientation. Upon completion of the registration process, your Retail Store is required to participate and graduate from an orientation program meant to educate you on the WPN and its programs and offerings (the "**WPN Orientation Program**"). Upon graduation from the WPN Orientation Program, you will be accepted into the WPN. Failure to participate in or graduate from the WPN Orientation Program will result in the rejection of your application.

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3. WPN Membership Levels. Upon acceptance into the WPN, your Retail Store will be required to meet and maintain a WPN Membership level ("**WPN Membership Level**"). Information regarding each WPN Membership Level and the requirements to maintain each WPN Membership Level can be found [here](#). Failure to meet or maintain your WPN Membership Level requirements may result in a down leveling of your WPN Membership Level and/or your suspension or termination from the WPN.

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4. WPN License. Subject to acceptance into the WPN and your compliance with the WPN Terms, Wizards grants you a limited, revocable, non-assignable, personal, non-sublicensable and non-exclusive right and license to: (a) schedule and report Wizards-sanctioned organized play events including tournaments (individually an "**Event**" and collectively "**Events**") using Wizards' proprietary online scheduling and reporting tool (the "**Wizards Event Reporter**" or "**WER**"); (b) display the WPN logo in your store and on your website to signify that you are a WPN Member; (c) access, reproduce and display WPN marketing materials (including applicable trademarks and artwork) in connection with advertising your Events and Wizards products and Retail Store décor; and (d) identify yourself as a WPN Member (collectively, "**Licensed Property**").

(a) Prohibitions. You will not: (i) harm, prejudice, impair or misuse the Licensed Property, Wizards, or Hasbro, Inc., its affiliates and subsidiaries ("**Hasbro**") (including its affiliated brands and properties) which includes, but is not limited to, associating the foregoing with obscene, sexually explicit, graphically violent or other inappropriate content as determined by Wizards' at its sole discretion; (ii) engage in any activity with respect to any product or service bearing any artwork, other representation, name or trademark that has the potential to confuse or that disparages the Licensed Property; or (iii) permit any unauthorized use of the Licensed Property.

(b) Goodwill. You acknowledge the great value of the goodwill associated with the Licensed Property. All goodwill arising from your use of the Licensed Property automatically inures to the benefit of Wizards, and that the Licensed Property has a secondary meaning in the mind of the public.

(c) Wizards' Ownership. You hereby acknowledge and agree that all right, title and interest in and to all Licensed Property, patents, copyrights, trademarks, databases and any other intellectual property provided to you as a WPN Member, whether registered or unregistered, are owned exclusively by Wizards. You agree to not impair, hinder, encumber or otherwise damage or challenge Wizards' ownership rights.

(d) No Transfer. You covenant and agree that these WPN Terms will be deemed a non-exclusive limited license, not a transfer, of Wizards' rights in the Licensed Property, and that you will have no interest in or claim to the Licensed Property or to any of the intellectual property rights associated therewith, except to the limited extent of the limited license granted herein.

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5. WPN Member Obligations. As a WPN Member, you will comply with, and be responsible for, the following:

(a) Professional Conduct. You will manage Events and, as applicable, your Retail Store in a professional and diligent manner that enhances the reputation and goodwill attached to Wizards and the Licensed Property.

(b) Responsibility for Staff. You agree that all people and companies you employ, utilize or otherwise recruit to work in your Retail Store or to assist with conducting Events (collectively "**Staff**") will comply with these WPN Terms and all applicable laws, ordinances, regulations and other governmental requirements. You likewise agree to comply with all federal, state, and local laws related to any employment relationship that may exist between you and your Staff consistent with Section 6. You further agree that nothing in these WPN Terms creates an employment relationship between Wizards and your Staff. You remain solely liable for all Staff activity under your WPN Membership.

(c) Illegal Conduct. You will take all reasonable measures to prevent illegal or otherwise inappropriate conduct in or associated with your Retail Store or at Events.

(d) Events. You may not schedule, run or report fraudulent Events. Your Events must be conducted by you or your Staff.

(e) Event Locations. All Events must occur at your Retail Store or at preapproved all-ages publically-accessible venues that are clean, safe, adequately lit, reasonably climate controlled and in compliance with all relevant accessibility, safety, fire, building, and health codes, and local regulations. Wizards reserves the right to reject any location in its sole discretion. Unless otherwise agreed to by Wizards, you may not run an Event in another Retail Store.

(f) Use of Marketing Material. You will use Wizards marketing materials provided by Wizards or Wizards' authorized distributors solely in connection with the Events, Wizards products and Retail Store décor only and in compliance with Wizards Play Network Marketing Materials Policy. All advertisements and promotions for your Retail Store or Events must be clear, truthful and comply with the laws relevant to your location or your Territory.

(g) Retail Store. A Retail Store is a legitimate physical retail store with any and all authorizations and/or licenses required by the local law and/or administrative resolutions, for the regular operation of a commercial establishment in the Territory that is regularly and consistently open to the public for business multiple days of the week and sells sealed Wizards' product on-site to consumers. A Retail Store must have permanently affixed signage, a dedicated store phone line, internet service, a valid email address, reasonably comfortable seating, nearby restrooms and an accepting and appropriate atmosphere for patrons of any age. As a WPN Member, you will ensure

your Retail Store is clean, safe, adequately lit, reasonably climate controlled, and in compliance with all relevant safety, fire, building and health codes, and local regulations.

(h) Code of Conduct. You will refrain from violating the WPN Code Conduct.

(i) Infringing Products. You will not permit products infringing Wizards' intellectual property rights to be sold or traded in your Retail Store or at your Event, and you will notify Wizards immediately if you know or suspect the sale or trade of such infringing products in your Retail Store or at your Event.

(j) Proxy Cards. Retail Stores may only allow "proxy" cards in your Events as described in the current official [Magic Tournament Rules](#). A proxy card is a card issued by a judge at an Event to replace a card that has become damaged during the course of play in such Event and may only be used for the duration of that Event.

(k) Counterfeit Cards. Counterfeit cards are unauthorized reproductions of authentic Wizards cards. Counterfeit cards are strictly prohibited by Wizards. WPN Members who knowingly manufacture, import, use or distribute counterfeit cards (or facilitate the same by a third party) will have their WPN Membership immediately terminated. Wizards reserves all rights in law and at equity to prosecute individuals engaged in the manufacture, importation or distribution of counterfeit cards.

(l) Playtest Cards. A playtest card is most commonly a basic resource with the name of a different card written on it with a marker. Playtest cards are not reproductions of authentic Wizards products and are created by players for personal and non-commercial use to test deck concepts. The use of playtest cards is allowed within Retail Stores only for non-commercial use in unsanctioned events.

(m) Grey Market Products. As a member of the WPN, you agree not to sell or permit grey market products to be sold or traded in your Retail Store or at your Event, and you agree not to engage in grey market activity using Wizards' product. "**Grey Market Products**" mean products that infringe Wizards' intellectual property rights. You will notify Wizards immediately if you know or suspect the sale or trade of Grey Market Products in your Retail Store or at your Events.

(n) Login Credentials. You will not disclose to anyone or permit another person to use your login credentials, and you will notify Wizards immediately if you know or suspect any unauthorized use of your login credentials. You will be fully responsible and liable for all activities conducted through your login credentials.

(o) Inactivity. Your WPN Membership will be terminated if you fail to schedule an Event for a period of sixty (60) consecutive days even if you have met and maintained a WPN Membership Level.

(p) Investigations. As a WPN Member, you expressly acknowledge and agree that your participation is subject to review by Wizards. You agree to cooperate in any Wizards' investigation of actual or alleged violations of the WPN Terms, the WPN Code of Conduct, Program Terms, or other applicable Wizards policy.

(q) On Sale Dates. You will not offer any Wizards' products to consumers prior to such products' first on-sale date as published by Wizards.

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6. Compliance with Laws. As a WPN Member, you agree to comply with all applicable laws, ordinances, regulations and other governmental requirements applicable to you, your Retail Store, your Staff and your Events including, but not limited to, marketing and promotion, employment, workers compensation coverage, tax, wage and hour, labor, data and privacy, consumer rights protection, discrimination, and accessibility. You will pay all required taxes and secure all necessary permits, approvals, and licenses from any governmental authorities necessary to conduct your Events.

7. Government Officials. You agree that in connection with your WPN Membership, you will not, directly or indirectly:

(a) offer, pay, promise to pay, or authorize the payment of any money, gift or other thing of value to any person who is an official, agent, employee, or representative of any government or to any candidate for political or political party office, or to any other person while knowing or having reason to believe that all or any portion of such money, gift or thing of value will be offered, given, or promised, directly or indirectly, to any of the foregoing;

(b) promise or give any person working for, or engaged by, Wizards or Hasbro, a financial or other advantage to (i) induce that person to perform improperly a relevant function or activity; or (ii) reward that person for improper performance of a relevant function or activity; or

(c) request, agree to receive, or accept any financial or other advantage as an inducement or a reward for improper performance of a relevant function or activity in connection with your WPN Membership.

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8. Event Scheduling, Administration and Reporting. Wizards-sanctioned organized play events can be organized by Retail Stores. As a WPN Member, you accept full responsibility for the scheduling, marketing, operation, reporting, and management of your Events including, but not limited to, all costs associated therewith. You will utilize the WER as directed by Wizards for the purposes of scheduling, registration, pairing matches, reporting conduct and reporting Events and for ordering Event and promotional support material. You expressly agree that:

(a) Scheduling Events. You will schedule any proposed Event according to the guidelines set forth in the applicable Event solicitation. All information you provided in the scheduling must be true, complete, and accurate. Wizards reserves the right to reject any Event for any reason in its sole discretion.

(b) Administering Events. You will at all times comply with all requirements applicable to the scheduled Event. Different requirements may apply depending on the type of Event including, but not limited to, product type, date restrictions, and play format. You will ensure that Events comply with these WPN Terms, WPN Code of Conduct, and all other Wizards' terms, codes of conduct, official organized play and tournament rules and procedures set forth by Wizards.

(c) Reporting Events. Within ninety-six (96) hours following an Event, Event results must be provided to Wizards through the WER. You will report all significant incidents that violate these WPN Terms, the WPN Code of Conduct, and all official organized play and tournament rules to [Retail Support](#).

(d) Player Data. The WER may only be used for scheduling, registration, pairing matches, reporting conduct and reporting Events and for ordering Event and promotional support material. For this limited purpose, you will have limited access to player data necessary to facilitate Events including first name, last name and country/territory of origin. Your access to and use of this information is for the sole purpose of processing player data. By using the WER or such other applications, you expressly agree that you are a data processor for the sole purpose of facilitating Events. You expressly acknowledge and agree that you will not access or use player data for any other purpose than facilitating Events and that you will not copy, transfer, sell, share, post, transmit or otherwise disclose any player information to any third party.

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9. Promotions and Marketing. You are solely responsible for promoting and marketing Events. You acknowledge and agree that Wizards is not a sponsor of your Events and that you will take no action to imply or indicate any such sponsorship. You are responsible for ensuring that any and all of your promotional materials and activities comply with applicable local, state, federal and country laws, rules and regulations. Wizards will use good faith efforts to include scheduled Events in its website calendars and event locator tools [HYPERLINK] ("**Event Locator**"), provided

that Wizards may choose for any reason in its sole discretion not to include your Events in its website calendars or in the Event Locator and will have no liability to you for any failure to include such Events on the website or in the Event Locator.

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10. Buy-a-Box Program. As a WPN Member, Retail Stores are automatically enrolled in Wizards' buy-a-box program ("**Buy-a-Box Program**") for every *Magic: The Gathering* trading card game set release. Information regarding Buy-a-Box Program terms can be found [here](#). Retail Stores will be responsible for obtaining any permits or complying with any requirements under the relevant laws and regulations for the conduct of the Buy-a-Box Program.

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11. Privacy and Publicity.

(a) Publicity Rights. You grant Wizards the right to use your name, likeness, voice, image, business name, Retail Store logos, images and business information, as well as any photographs and audiovisual recordings of your Events, for its advertising, promotional, commercial, or educational materials. You hereby waive any right to additional consideration or compensation with respect to any such use. This authorization is granted worldwide, non-exclusively and during your participating in the WPN. If you revoke the authorization stated herein, Wizards will be allowed to terminate your WPN Membership.

(b) Sharing Your Information. You understand and agree that by signing up and scheduling Events, your name, phone number, email address, physical address and Retail Store (if applicable) business information may be shared with consumers and other third parties for the purposes of marketing and promoting your Events and facilitating market research and satisfaction surveys about the WPN, Wizards' products and organized play events.

(c) Accepting Communications. While you are a WPN Member, you agree to accept all forms of communication from Wizards regarding the WPN, your WPN Membership, and Wizards' products or services. If you opt out of any form of communication from Wizards, Wizards will be allowed to terminate your WPN Membership.

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12. Cancelling Your WPN Membership. You have the right to cancel your WPN Membership at any time by contacting [Retail Support](#).

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13. Termination. Wizards may terminate your WPN Membership at any time, with or without a reason: (a) upon ninety (90) days prior written notice (email sent to your WPN account email address sufficient for this purpose); or (b) immediately with written notice (email sent to your WPN account email address sufficient for this purpose) upon the occurrence of any of the following: (i) you, at Wizards' sole discretion, violate these WPN Terms, the WPN Code of Conduct or Wizards' other published policies or procedures; or (ii) You engage in conduct that damages, harms or disparages Wizards' brands or its products. Wizards expressly agrees to waive and set aside its respective rights and obligations under any applicable law in the event of any termination of your WPN Membership to the extent that such law requires any judicial pronouncement for the termination.

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14. Other Remedies. In the event any of [Section 13\(a\)](#) though [\(b\)\(ii\)](#) occurs, Wizards may, at any time, in its sole discretion and without notice or any liability to you exercise any of the below remedies: (a) cancel or modify any of your scheduled Events; (b) decline to sanction your future Events or locations; or (c) temporarily suspend your WPN Membership or down level your WPN Membership Level.

Wizards may communicate its actions (but not the reason for taking such actions) to third parties and consumers. You understand and acknowledge that your WPN Membership has no monetary value to you and that you have no interest, monetary or otherwise, in any feature, content, or program of the WPN. You expressly acknowledge and agree that Wizards has no liability to you for terminating your WPN Membership or ending, modifying, changing, or terminating portions of or the entire WPN.

All remedies set forth in this Section 14 are available to Wizards in addition to, and not in lieu of, its rights of termination and any other available remedies at law or in equity.

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15. Representations and Warranties. You represent and warrant to Wizards that: (a) you have the power and authority to enter into this agreement, accept these WPN Terms and that all information you provide to Wizards is true, complete and accurate; (b) you will comply with all applicable laws and regulations governing your Staff, Retail Store and Events including, but not limited to, securing necessary permits, approvals and licenses from third parties to conduct Events; (c) notwithstanding anything in these WPN Terms, you will be, and will remain, responsible for all obligations and liabilities associated with your Staff, your store and Events; and (d) you will at all times remain responsible for the financial viability of, and risk management in respect of, your Staff, your store and Events.

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16. Disclaimer. THE WPN, ITS PROGRAMS, OFFERINGS, PROMOTIONS, TRADEMARKS, LOGOS, AND THE LICENSED PROPERTY ARE PROVIDED “**AS IS**” WITHOUT ANY REPRESENTATION, WARRANTY, CONDITION OR GUARANTEE (WHETHER EXPRESS, IMPLIED, STATUTORY OR OTHERWISE) INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTY OF MERCHANTABILITY, TITLE, FITNESS FOR A PARTICULAR PURPOSE AND NON-INFRINGEMENT.

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17. Limitation of Liability. NEITHER WIZARDS, NOR ITS PARENT OR AFFILIATES, LICENSORS OR RELATED ENTITIES WILL BE LIABLE IN ANY WAY TO YOU OR A THIRD PARTY FOR ANY ANTICIPATED OR LOST PROFITS, REVENUE, DATA, CONTENT, HARDWARE, SOFTWARE, INJURY, INFORMATION OR SPECIAL, EXEMPLARY, INCIDENTAL, INDIRECT OR CONSEQUENTIAL DAMAGES (HOWEVER ARISING INCLUDING, BUT NOT LIMITED TO, TORT, CONTRACT, STRICT PRODUCT LIABILITY AND NEGLIGENCE) ARISING OUT OF OR IN CONNECTION WITH YOUR PARTICIPATION AS A WPN MEMBER, OR IN ANY OTHER WIZARDS’ PROGRAM INCLUDING, BUT NOT LIMITED TO, DAMAGE TO PROPERTY AND, TO THE EXTENT PERMITTED BY APPLICABLE LAW, DAMAGES FOR PERSONAL INJURY, EVEN IF WIZARDS, ITS LICENSORS AND SUPPLIERS, AND EACH OF ITS RESPECTIVE AFFILIATES, OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS HAVE BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES OR LOSS. THE TOTAL AGGREGATE LIABILITY OF WIZARDS, ITS LICENSORS AND SUPPLIERS, AND EACH OF ITS RESPECTIVE AFFILIATES, OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS TO YOU OR ANY THIRD PARTY IS LIMITED TO \$100.00 (USD). YOU AGREE TO WAIVE ANY RIGHT TO EQUITABLE RELIEF INCLUDING, BUT NOT LIMITED TO, INJUNCTIVE RELIEF AGAINST WIZARDS, ITS LICENSORS AND SUPPLIERS, AND EACH OF ITS RESPECTIVE AFFILIATES, OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS TO ENFORCE THE TERMS HEREOF; HOWEVER, THE FOREGOING WILL NOT PRECLUDE WIZARDS FROM SEEKING ANY INJUNCTIVE RELIEF. THIS LIMITATION APPLIES TO ALL CAUSES OF ACTION OR CLAIMS IN THE AGGREGATE FOR ANY REASON. SOME JURISDICTIONS DO NOT ALLOW THE FOREGOING LIMITATIONS OF LIABILITY; AS SUCH THEY MAY NOT APPLY TO YOU IN PART OF IN THEIR ENTIRETY.

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18. Indemnification. YOU AGREE TO DEFEND, INDEMNIFY AND HOLD WIZARDS, ITS PARENT COMPANY, SUBSIDIARIES, AFFILIATES, CURRENT AND PAST OFFICERS, AGENTS AND EMPLOYEES HARMLESS FROM ANY CLAIM, ACTION, SUIT, DEMAND, OR DAMAGES INCLUDING, BUT NOT LIMITED TO, REASONABLE ATTORNEYS’ FEES, ASSERTED BY ANY THIRD PARTY OR STAFF ARISING IN CONNECTION WITH YOUR PARTICIPATION AS A WPN MEMBER, OR IN ANY OTHER WIZARDS’ PROGRAM INCLUDING, BUT NOT LIMITED TO, FRAUD, WAGE OR EMPLOYMENT

CLAIMS, NEGLIGENCE, INJURY OR DEATH, OR RIGHT OF PUBLICITY. YOU WILL COOPERATE AS FULLY AS REASONABLY REQUIRED IN THE DEFENSE OF ANY CLAIM. WIZARDS RESERVES THE RIGHT, AT ITS OWN EXPENSE, TO ASSUME THE EXCLUSIVE DEFENSE AND CONTROL OF ANY MATTER OTHERWISE SUBJECT TO INDEMNIFICATION BY YOU AND YOU WILL NOT IN ANY EVENT SETTLE ANY MATTER WITHOUT THE WRITTEN CONSENT OF WIZARDS.

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19. Privacy Notice. In addition to the disclosures contained in these WPN Terms, please refer to our WPN Privacy Policy for information on how Wizards collects, stores, uses and discloses your information.

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20. General.

(a) Language; Interpretation. These WPN Terms and all related documents will be interpreted in English. The headings of sections or paragraphs are for convenience only and not intended to restrict or affect interpretation.

(b) Equitable Remedies. You agree that Wizards would be irreparably damaged if these WPN Terms were not specifically enforced. Therefore, you agree that Wizards will, in addition to any other remedy it may have under these WPN Terms, at law or in equity, be entitled without bond, other security, or proof of damages, to appropriate equitable remedies with respect to breaches of these WPN Terms.

(c) Severability; No Waiver. If any provision of these WPN Terms is found to be invalid or unenforceable by any court having competent jurisdiction, then that provision will be deemed severable from these and will not affect the validity and enforceability of any remaining provisions. The failure to enforce any of the provisions of these WPN Terms, or to exercise any rights or remedies under these WPN Terms, will not be construed as a waiver of Wizards' right to assert or rely upon any such provisions, rights, or remedies in that or any other future instance.

(d) Modification. These WPN Terms may be amended, altered or modified at any time and for any reason by Wizards in its sole discretion with no prior notice. If any future changes to these WPN Terms are unacceptable to you or cause you to no longer be in compliance with these WPN Terms, please cancel your WPN Membership. Your continued participation in the WPN means you accept any and all such changes.

(e) No Assignment. These WPN Terms and the rights granted herein are personal to you, and may not be assigned, even where you transfer or lease your business or a branch of your business. Wizards may transfer or assign these WPN Terms, in whole or in part, to third parties of its choosing.

(f) Force Majeure. Wizards will not be liable for any delay or failure to perform resulting from causes outside our reasonable control including, but not limited to, any failure to perform hereunder due to unforeseen circumstances or causes such as acts of God, war, the zombie apocalypse, acts of civil or military authorities, Plan 9, robot uprisings, Phyrexian incursions, fire, floods, accidents, Eldrazi awakenings, strikes, riots, or for shortages of transportation, fuel, Mana, energy, labor or materials.

(g) Governing Law; Venue and Jurisdiction; Time Limit to Bring Claims. These WPN Terms and your participation in the WPN will be governed by laws of the State of Washington, United States, without regard to its conflict of laws principles. The application of the United Nations Convention on Contracts for the International Sale of Goods is expressly excluded. You consent to the exclusive jurisdiction and venue of the U.S. District Court of the Western District of Washington for any claims arising out of or relating to these WPN Terms and your participation in the WPN. In no event will any claim, action or proceeding by you related to or arising from these WPN Terms or your participation in the WPN or any other interaction you may have with Wizards, be instituted more than one (1) year after the cause of action arose.

(h) Class Action Waiver. YOU AGREE THAT ANY PROCEEDINGS TO RESOLVE OR LITIGATE ANY DISPUTE, WHETHER IN COURT OR OTHERWISE, WILL BE CONDUCTED SOLELY ON AN INDIVIDUAL BASIS, AND THAT YOU WILL

NOT SEEK TO HAVE ANY DISPUTE HEARD AS A CLASS ACTION, A REPRESENTATIVE ACTION, A COLLECTIVE ACTION, A PRIVATE ATTORNEY-GENERAL ACTION, OR IN ANY PROCEEDING IN WHICH YOU ACT, OR PROPOSE TO ACT, IN A REPRESENTATIVE CAPACITY. YOU AGREE THAT NO PROCEEDING WILL BE JOINED, CONSOLIDATED, OR COMBINED WITH ANOTHER PROCEEDING WITHOUT THE PRIOR WRITTEN CONSENT OF YOU, WIZARDS, AND ALL PARTIES TO ANY SUCH PROCEEDING.

(i) Notices. All notices given by you or required under these WPN Terms will be in writing and addressed to: Wizards of the Coast, ATTN: Retail Support, P.O. Box 707, Renton, Washington 98057-0707.

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EXHIBIT 7

MAGIC: THE GATHERING®

EVENT SANCTIONING APPLICATION



Organizer: _____
Name (First, Last) DCI #, if known Birthdate (Month/Day/Year)
(Organizers must be 18 years old or older.)

Judge (if not organizer): _____
Name (First, Last) DCI #

PAGE 1

EVENT NAME: _____ EVENT DATE: ____/____/____

EVENT LOCATION

(This information will be made public to let potential players know your event is taking place.)

Name of Venue: _____

Venue Address: _____

City: _____ State/Prov.: _____ ZIP: _____ Country: _____

Phone Number: _____ Email: _____

MAILING LOCATION

(The DCI will use this information to contact you and send you tournament support materials.)

Organizer Mailing Address: _____

City: _____ State/Prov.: _____ ZIP: _____ Country: _____

Phone Number: _____ Email: _____

TOURNAMENT INFORMATION

What type of tournament will this be? (See the Magic DCI Floor Rules for more information. Check one box only.)

TEAM TOURNAMENT # of Players/Team (2 or 3)	SINGLES TOURNAMENT	EVENT FORMAT
<input type="checkbox"/> _____	<input type="checkbox"/>	Standard
<input type="checkbox"/> _____	<input type="checkbox"/>	Block <small>EXAMPLES: Invasion™ Block Odyssey™ Block See the Magic: The Gathering DCI Floor Rules for block format information.</small>
<input type="checkbox"/> _____	<input type="checkbox"/>	Extended
<input type="checkbox"/> _____	<input type="checkbox"/>	Type 1
<input type="checkbox"/> _____	<input type="checkbox"/>	Type 1.5
<input type="checkbox"/> Limited Team Event _____	<input type="checkbox"/>	Limited (Sealed Deck, Booster Draft, or Rochester Draft) Circle one of the Limited formats listed above.

Enhance the K-value of your tournament! NOTE: Organizers and judges are not allowed to play in their DCI-sanctioned events.

A tournament's actual K-value will be determined based on the Event Report Summary you submit after the tournament. If no K-value is circled, this event receives a pre-event K-value of 16.

Circle your event's prospective K-value: **8k*** **16k** **24k** **32k** **40k** **48k**

Certified Judge:	Optional	Optional	Level 1	Level 2	ASSIGNED DIRECTLY BY DCI FOR SELECT PREMIER EVENTS ONLY
Minimum Rules Enforcement Level (REL):	REL 1	REL 1	REL 2	REL 3	
Deck Verification Procedures: <small>Use of decklists, deck checks, and (at Sealed-Deck events) deck swaps.</small>	Optional	Optional	Required	Required	
Minimum Number of Players:	8	8	16	32	

THE 3-JUDGE SYSTEM NO LONGER EXISTS. 8k is an option for organizers wishing to have a lower impact on player ratings.

Event Admission: \$ _____ Estimated Number of Players: _____

If this event is the first from one organizer's consistent schedule, please fill out the Periodic Event Schedule on page 2.

I have read and agree to abide by the DCI Universal Tournament Rules and the most current Magic: The Gathering® Floor Rules.

Organizer Signature _____

Date _____

Name (print) _____

PAGE 2

MAGIC: THE GATHERING[®] SANCTIONING APPLICATION
PERIODIC EVENT SCHEDULE

**Organizer:** _____

NAME (FIRST/LAST)

DCI #, IF KNOWN

BIRTHDATE (MONTH/DAY/YEAR)
(Organizers must be 18 years old or older.)

TM

Name of Event: _____

For events occurring on a regular basis, please provide date and type information for each event **beyond that listed on page 1.**

	DATE		SINGLES OR TEAM EVENT CIRCLE ONE	(If TEAM EVENT) # OF PLAYERS PER TEAM	PRE-EVENT K-VALUE SEE PAGE 1 CHART.	EVENT FORMAT SEE THE EVENT FORMAT LIST ON PAGE 1.
1.	Month / Day / Year	Singles	Team Constructed Team Limited			
2.	Month / Day / Year	Singles	Team Constructed Team Limited			
3.	Month / Day / Year	Singles	Team Constructed Team Limited			
4.	Month / Day / Year	Singles	Team Constructed Team Limited			
5.	Month / Day / Year	Singles	Team Constructed Team Limited			
6.	Month / Day / Year	Singles	Team Constructed Team Limited			
7.	Month / Day / Year	Singles	Team Constructed Team Limited			
8.	Month / Day / Year	Singles	Team Constructed Team Limited			
9.	Month / Day / Year	Singles	Team Constructed Team Limited			
10.	Month / Day / Year	Singles	Team Constructed Team Limited			
11.	Month / Day / Year	Singles	Team Constructed Team Limited			
12.	Month / Day / Year	Singles	Team Constructed Team Limited			
13.	Month / Day / Year	Singles	Team Constructed Team Limited			
14.	Month / Day / Year	Singles	Team Constructed Team Limited			
15.	Month / Day / Year	Singles	Team Constructed Team Limited			
16.	Month / Day / Year	Singles	Team Constructed Team Limited			
17.	Month / Day / Year	Singles	Team Constructed Team Limited			
18.	Month / Day / Year	Singles	Team Constructed Team Limited			
19.	Month / Day / Year	Singles	Team Constructed Team Limited			
20.	Month / Day / Year	Singles	Team Constructed Team Limited			

Additional Information: _____

NOTE: ORGANIZERS AND JUDGES ARE NOT ALLOWED TO PLAY IN THEIR DCI-SANCTIONED EVENTS.

EXHIBIT 8



WHAT IS A JUDGE?



MAGIC JUDGES

Magic judges are perhaps best known as arbiters of tournament rules, but they are also passionate members of the Magic community who endeavor to ensure that events are fair and players learn the game.

Anyone with a strong enough knowledge of Magic and a desire to give back to the community can become a judge.

THE JUDGE PROGRAM

The Judge Certification Program develops, facilitates, and administers the judge testing system. The creation and maintenance of judge standards ensures a high level of excellence in sanctioned Magic play. The Judge Certification Program also ensures that judges have access to the tools they need to improve their judging skills and their knowledge of the game and card sets.

➤ **LEARN HOW TO BECOME A JUDGE**

JUDGE LEVELS

Certified judges fall into five levels.

Level 1 and 2 judges typically adjudicate hobby store-based event. Colloquially, they are sometimes called “L1” and “L2” judges. Level 2 judges also mentor and test new candidates for Level 1. Over 95% of judges are L1 or L2 and their presence is appreciated by both organizers and players.

Level 3 judges are leaders of premier organized play and judge communities in their regions. They generally operate in large areas, across provinces and countries and are recognized as regional leaders in their communities. Premier play organizers seek L3s to adjudicate fun and fair events and to provide a great player experience. They also mentor L1s and L2s judges and assist Level 4 and 5 judges with directing portions of the Judge Certification Program.

Level 4 and 5 judges are recognized experts in rules, policy, community growth, and adjudicating large tournaments. Very few demonstrate the abilities to reach this level. Having earned the tremendous respect and admiration of both players and organizers, they are entrusted with the highest level events and lead vast areas of the Judge Certification Program.

➤ LEARN MORE ABOUT JUDGE LEVELS

REGIONAL COORDINATORS

Regional Coordinators (often called “RCs”) are usually Level 3 judges who act as a region’s points-of-contact and coordinator for the judge program. RCs advise store owners operate premier events, facilitate judge mentorship and education in their regions, and help members of their communities by:

- Providing information about the Judge Program;
- Assisting tournament organizers find judges for events;
- Finding judging opportunities;
- Offering store owners advice on best practices for running events; and
- Building a positive community of stores, organizers, and players.

Whatever your question or need, contact your RCs for more information.

➤ FIND YOUR REGIONAL COORDINATOR

REGIONAL COORDINATOR ADVISORY COMMITTEE

In an ongoing effort to be responsive to the *Magic* Judge Community, Wizards of the Coast is pleased to announce the formation of the Regional Coordinator Advisory Committee (“RCAC”), an independent group for judges to provide feedback about *Magic* and the Judge Program.

Created last September, the RCAC acts as a sounding board and outlet for judges around the world to voice their ideas, thoughts and concerns about *Magic* and the Judge Program.

The RCAC advises Wizards and the Level 4 and 5 judges on issues arising from the Judge Program, including education, knowledge management, judge and player sanctions, and judge complaints, and will provide other general recommendations as the need arises. The RCAC is comprised of judges, as well as player representative Jon Finkel, who was elected by the Hall of Fame selection committee, to provide feedback and the perspective of a player to the RCAC.

Any judge in the Judge Program can contact the RCAC at judgercac@gmail.com.

USEFUL LINKS

[Level Three Advancement Process](#)

Qualities and process for becoming Level Three.

[Magic Judge Membership Renewal and Contact Update](#)

DOCUMENTS AND FORMS

[Judge Article Archive](#)

[Disqualification Reporting Procedure](#)

Instructions for submitting a DQ report to Wizards of the Coast. Requires DCI Certification.

[Suspended Player List](#)

Current and new suspended players, updated at need.

TOURNAMENT RULES AND POLICIES

[Premier-Level Tournament Information](#)

[Magic Tournament Rules](#)

[Premier Event Invitation Policy](#)

[Magic Infraction Procedure Guide](#)

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WHERE TO PLAY AND BUY



Find a location to buy or play
Magic: The Gathering near you.

JUDGES - RESOURCES - EVENTS - MAGIC OF THE GATHERING

Enter your city or postal code

FIND NOW !



Select your language:

English ▼

WIZARDS BRAND FAMILY

MAGIC | D&D | WPN | DUEL MASTERS | AVALON HILL

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EXHIBIT 9

What does it mean to be a certified judge?

If you're reading this, most likely you already know Magic: The Gathering or another Wizards of the Coast trading-card game (Magic being the primary game all judges are required to know), and are interested in becoming a DCI Certified Judge. It may be that you want to help your local tournament organizer by judging at his tournaments (or you are the organizer and looking for some extra knowledge), or you may want to progress further in the judge program; seeking advancement in the DCI Judge Certification Program, participating in the Magic community, and staying active locally and beyond when possible. Both these goals are valuable to the Magic community and may give you a lot of good moments with this game. Anyway, whichever kind of judge you want to become, ask yourself a simple question: why do I want to become a judge? You don't have to have an answer right now, but it's important that you can answer this before you take your first step onto this path.

Although the life of a judge may seem easy, there's a lot more to being a judge than knowing the game's rules. Following is a series of basic questions about judging at Tournaments and the DCI Judge Certification Program. The goal of these questions is to help you understand a little about what it means to be a judge and what you have to do to become one.

So, what is a judge?

Basically, the judge at a tournament is the person responsible for keeping the game fair (much like the referee in any other sport), applying the rules, correcting and penalizing any infractions, answering questions and assisting players in tournament matters. Overall, the basic goal of a judge is to promote an environment that's fair, balanced and pleasant to the players.

There are certain skills that a judge needs to have. A judge must possess a great knowledge of the rules of the game, of its procedures, of the infractions and of the penalties appropriate to the tournament. All these rules are important tools for a judge, and knowing them is fundamental for the judge to perform her duties quickly and efficiently. Furthermore, a judge must possess certain abilities that go beyond the game aspects. A good judge must have team spirit; even in small local tournaments she may be working with other people, such as the Tournament Organizer and the Scorekeeper. A judge must also be patient and open to communication; most of her activities will involve communicating with other people, such as players, fellow judges and other members of the tournament organization.

What is the DCI Judge Certification Program?

Through the Judge Certification Program, the DCI certifies judges in numerous countries, attesting to their ability to act in sanctioned events and, in higher levels of the judging program, perform activities such as the certification of judges. The Certification Program manages the judge testing system, develops the written tests used to evaluate judges at all levels, and provides the necessary tools for judges to improve their skills: such as discussion mailing lists, the sponsorship program and judge rewards (like those cool foil cards we judges receive at Grand Prix and Pro Tours).

What is a Certified Judge?

Certified judges are nice people who have entered the DCI Judge Certification Program and have passed the first steps of the certification process. In order to become a certified judge, a candidate must fulfill certain requisites: such as participation in events, an interview, and passing a written test. By joining

the Judge Certification Program you will have the opportunity to improve your judging skills and learn a lot more about the game, tournaments, and judging.

Being a certified judge is volunteer work, very gratifying, but it demands dedication, commitment, and constantly keeping up with the new things that come with the evolution of the game. Even if it is a voluntary activity, being a judge demands a professional attitude, and it is a matter of responsibility. Responsibility to your fellow judges, to the tournament organizers and, above all, to the players. Keep in mind that all of these people dedicated a fair share of their money, time, and effort to the event. A good judge must be capable of this level of dedication, and must strive to keep up to date and able to fulfill her tasks.

What about judge levels?

Certified judges are ranked in levels, from 1 to 5, according to their experience and position in the Certification Program. Each level has its requirements, rewards and duties. See: Judge Level Requirements at www.wizards.com/judge.

Level 1 and 2 judges work mainly in local tournaments (but you can see them in GPs, PTQs, and other large events). Level 2 judges may head judge PTQs and GP Trials and, after some time, may begin to walk the path to expert judge level. In addition, level 2 judges can mentor new judge candidates and test them for level 1.

Expert level judges (those of level 3) perform additional duties. They work on higher-level tournaments and mentor and test candidates for level 1 and 2. Expert judges receive extra rewards for their effort, and have an exclusive mailing list.

Lastly, there are the professional level judges (those of levels 4 and 5) who help set policy, philosophy, and the direction of high-level play and the judge program.

TO, scorekeeper, head judge. Who are those guys?

No man is an island, and judges are no different. In tournaments of all sizes, a judge will work alongside tournament organizers, scorekeepers, and other members of the event staff. It may happen that, in small tournaments, the judge is also the TO, the Scorekeeper or all three. Anyway, it is always good to know who has what responsibilities:

Tournament Organizer: The tournament organizer, or TO, is the person in charge of the tournament. At a local tournament he will probably be the storeowner. The TO is the person who selects the tournament site and staff, provides all the necessary materials for the tournament (such as deck lists, prizes, and so on), pays for the venue, and advertises the event. The tournament organizer is ultimately responsible for the success and reporting of the event.

The TO is an important person in a judge's life; he is in charge of the tournaments the judge works and is the person that will compensate the judge for his hard work. Even if the TO has no influence in rules decisions (this is the realm of the judges), he is the "boss" in all other aspects of the event. Cooperation is the key to a good relationship between judges and the TO. Also, the TO may be a valuable source of advice for a beginning judge.

Scorekeeper: The scorekeeper, as the name implies, is in charge of keeping the scores and results of the matches in the event. The scorekeeper manages the DCI Reporter software (or, in case the

tournament is run on paper, manages the paperwork), pairing players, recording the results and penalties, tracking the round time and performing the procedures relevant to the tournament format (assigning draft pods and performing cuts to playoff pairings). The scorekeeper may be a certified judge, but this is not mandatory.

Head Judge: Officially sanctioned events require the physical presence of a head judge during play to adjudicate disputes, interpret rules, assign penalties, and make other official decisions. The head judge is responsible for reporting all warnings issued at the tournament to the DCI, either directly or through the tournament organizer's event report. In most local tournaments there is only one judge, and this is the head judge. In bigger events, where more judges are present, one judge, chosen by the TO, is the head judge of the event, and he will be the final judicial authority in the tournament.

Team Leader: In some events, like Pro Tours, Nationals and GPs, there are a great number of judges. In these cases, judges are gathered in teams, in order to better organize them and assign their tasks. Each team has a leader, usually a more experienced judge who coordinates the team activities and reports to the head judge.

What will my duties be as a judge?

The duties of a judge depend on his level and the kind of tournament at which he is working. At all levels, judges will keep the game fair, answer rules questions from players at the tournament, correct infractions and apply penalties when necessary. Basically, this will represent most of the judging job, especially at small, local tournaments, where, usually, there is only one judge.

Aside from rules matters and players disputes, judges perform some activities related to the tournament organization. Judges post pairings generated by the scorekeeper, check decks and deck lists, keep the tables organized and clearly numbered. They also lend a hand to the TO when necessary: making announcements, looking for missing players and finding unreported match results. After all, besides keeping it fair, we need to keep it organized.

Those are the basic duties of a judge, and in most part are all the tasks a judge will perform in local tournaments. But, if you want to go further in the glorious career of a judge, there will be more things to do. Expert level judges may mentor those who want to certify, and also level 1 and 2 judges. They may perform judge testing up to level 2, and may help to evaluate candidates for level 3. Also, judges of all levels are encouraged to write reports about their judging experiences, submitting those reports to the judges' mailing list, or publishing them in the judges' section on Wizards' site.

DCI judges are expected to uphold the highest standards of integrity and professionalism at all times -- especially while they are judging, but also when they aren't, even as players or spectators. If you feel you exhibit integrity and professionalism and have the motivation and skills to become a certified judge, the DCI looks forward to working with you and getting you certified as a DCI Judge.

So, how do I become a Judge?

You don't need to be a certified judge to judge at many events. If you want to judge a tournament to get the taste for judging, the best option is to contact your local TO. He is the best person to provide you with the basic information about starting to judge in your area. Also, the TO can explain to you about basic tournament procedures and local compensation for judge work.

Another good option is to contact the Premier Tournament Organizer of your area. This is a TO who

runs the Premier events, like Prereleases, Trials and PTQs, in your area. He will be able to explain you the basics of judging in Premier events, including rewards policies for these tournaments. Also, he may know other TOs and be aware of the event schedule for your area.

Don't forget to talk with other judges. If your area has a local level 3 judge, he will be the most qualified person to guide you on the judge's path. Also, if possible, talk with other judges who operate in your area. Advice from the more experienced is always a valuable resource.

If you have any question about where to find all those people, check Wizards' website. There is a list of all judges in the world and the offices in charge of Organized Play for all areas of the world.

Although certification isn't mandatory for judges in local tournaments, it is a good idea to become a certified judge, even if you just intend to occasionally judge local tournaments.

See: How to Become a Judge at www.wizards.com/judge

What about the rewards?

At this point, you must be asking yourself: what's in it for me? If your only concern is money, then you better start looking for another activity. Yes, judges are rewarded for their work, but the rewards aren't enough to grant you wealth beyond your dreams. The exact kind of reward varies from tournament to tournament and, in most cases, it's a good reward for doing something related to a game that is also a hobby. Judge rewards may not make you rich, but who else is paid to stay in touch with his favorite game?

The most basic kind of reward happens at local level, and will depend on each TO. In some cases, TOs pay their judges with product, based on the amount of players in the tournament. In other places, judges are paid in money, or receive special discounts at the local game shop. In any case, the best way to deal with rewards is to talk with the TO. Being a judge demands a lot of effort and preparation. Don't feel ashamed for being rewarded for this.

The next level of rewards comes from Premier events. Although the exact amount may change from region to region, at these events judges are rewarded in product, based on the number of players at the tournament. Also, judges may receive foil cards, event shirts and, in the case of Prerelease Tournaments, may receive product prior to its release. Some rewards have specific policies, like the prerelease product, which can't be sold before the official release date. The best thing to do is to contact your local TO or PTO in order to learn more about these rewards and policies.

Judges of expert level and above have a special reward, too. In order to keep in touch with the new cards, they receive product whenever a new expansion is released.

There is also the Sponsorship Program. Through this program, certified judges may receive sponsorship to events in other cities and even in other countries. This is a great experience, will give you the chance to learn a lot about Magic and judging, and will be a good opportunity to meet new people and see exotic places.

All the rewards a judge may receive for his work are great, but that's not the most important thing. It may seem strange, but the greatest reward is the work itself. From helping your local TO to traveling to other cities to judge, it's the opportunity to be a part of Magic events, meet different people, socialize with judges and be part of a community dedicated to this great game. If you have the opportunity to

participate in an international event, such as a Grand Prix or a Pro Tour, you will meet people from different countries and make friends from all around the world.

Where can I find help (or, where to turn to when things get nasty)?

Sometimes a question arises for which we don't have the answer. When this happens in the middle of a tournament and you are the one in charge, you will have to use your judgment in order to solve the situation. But what happens when you have time to browse for the answer? Thankfully we have a lot of resources to help us. Wizards maintains discussion lists for certified judges, where rules questions and interesting things that happens in tournaments are all discussed (including those things that you had to solve by yourself). And in Wizards' website you may find archives with all previous topics from the discussion lists.

Will I be allowed to keep playing Magic?

Sure! And you may keep playing in sanctioned tournaments without any problem. Magic judges are encouraged to play and, in some cases, being a judge may help you to play better. By knowing the proper rules and understanding how things work in the game you will most certainly improve your playing skills. Also, it may prevent you from making mistakes when playing in a tournament.

Of course, you should always be take care not to use your powers in for evil. The status of being a judge isn't meant for giving you an advantage over your opponents. Do not abuse your power or have any of those "I'm level 1 so I'm right" conversations. If you have at any point thought about becoming a judge for this reason, you are way, way off your path.

Final advice

If you intend to become a judge, know that you will be getting into an interesting activity that's both fun and a lot of work. If I may give you a final piece of advice about being a judge, here it is: study well and prepare yourself for the events in which you will work. Being prepared is one of the key points to doing a good job, and will help you a lot during those difficult moments when things looks dark.

And, last but not least, know that this article contains only the basics about what it means to be a judge. For each of us judges this activity possesses a special and particular meaning. If the key to becoming a judge is knowing why you want to judge, the key to being a good judge is knowing what judging it means to you.

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EXHIBIT 10

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Magic Judge News

Magic Judges' #1 News Source



Introducing the new Judge Community Manager, Sara Mox!

February 8, 2016 | [Aaron Hamer](#)

Sara Mox
New Judge Community
Manager

I'm delighted to announce that [Sara Mox](#) has accepted a full-time role at Wizards as the community manager for the Magic Judge network. She's a fantastic fit for the role, with experience in judging, customer service, and politics. She'll improve communications between Wizards and the judge community with a focus on transparency and clarity.

Bringing Sara onboard allows us to devote more resources to the judge community. She starts on February 22, and I'll be involved throughout the transition as she comes up to speed. Afterward, I'll be responsible for the strategic vision for the relationship between Wizards and the judge community, but Sara will be your primary point person for all things judge.

I cannot imagine a better choice for the role, and I'm excited to see Sara dive in and start making things better!

Tagged [Aaron Hamer](#), [Judge Community Manager](#), [Sara Mox](#)[Riki Hayashi promoted to Level 4](#)[Magic Judge Monthly: January 2016](#)Need help with your own blog? [Contact us!](#)

EXHIBIT 11



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English

Regional Coordinators



Sebastian Pękala
Level 3, Poland

[Sebastian Pękala](#) is the Regional Coordinator Leader, providing leadership, insight on the challenges for the Regional Coordinators, and coordination of the global efforts of this group's goals and tasks.

Regional Coordinators lead the region they are responsible for. They coordinate judges, help with staffing events and serve as a bridge between judges, organizers, and players. They are usually the first point of contact for any judge related matter.

Contacting a Regional Coordinator

To contact a Regional Coordinator, please use the [Contact a Regional Coordinator](#) form.

Tasks of Regional Coordinators

- Provide an in-region judge whom other judges can contact for questions about the Judge Program.
- Provide a regional resource for organizers and distributors seeking judges for events.
- Provide the region with a spokesman to the Judge Program leadership.
- Provide a leader whom the Judge Program can use to communicate with judges in the region.
- Provide assistance to Wizards of the Coast or distributor representatives for major tournaments within their area.
- Be involved in player investigations in their region.
- Be consulted on serious matters regarding judges in their area.
- Be consulted about sponsorship of deserving in-region judges.
- Provide support for major events and conferences.
- Assist in recognition of judge efforts in their region.
- Help Level 1 judges gain experience and skill to advance to Level 2.
- Report on major events in their region.
- Be involved in the certification process during Grand Prix.
- Mediate and help in conflicts in their region involving judges and/or Tournament Organizers.
- Foster acquisition of new Level 1 judges.
- Cooperate and coordinate tasks with Level 3s in their region.
- Provide assistance with the Level 3 Advancement process by evaluating the self-reviews provided by Level 3 candidates, and creating Level 3 Assessment Exams.

Qualities of Regional Coordinators

Regional Coordinators are evaluated during a selection process on the following qualities:

- Responsiveness: Regional Coordinators should answer to emails and messages they receive within 1 week.
- Accessibility: Regional Coordinators should be easily reached through at least one communication channel (emails, phone, Facebook, chat programs) known to their community.
- Level 3 recommendations: Regional Coordinators should be able to help Level 3 candidates get recommendations, or to provide feedback on how to improve in order to get one, or to facilitate someone who can help the candidate.
- Growth and improvement: Regional Coordinators should have a plan of action for growing their community both in quality and in quantity.
- Retention and morale: Regional Coordinators should have a plan to avoid judge burnout and to keep the community involved and motivated.

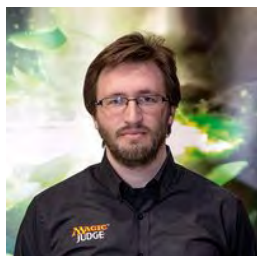
- Conferences: Regional Coordinators should be able to organize conferences every year as a tool for community building and improving the quality of local judges.
- Recognitions: Regional Coordinators should motivate judges with recognitions and should lead by example participating in the Exemplar program.
- Mentoring: Regional Coordinators should have a plan and awareness of different levels of mentoring in their region.
- Performance evaluation: Regional Coordinators should be able to evaluate the judges in their region, provide feedback, and intervene in case of underperformance.
- Demotion procedures and disciplinary measures: Regional Coordinators should be able to determine when misbehavior from judges in their region needs to be escalated to the appropriate channel.
- Conflict resolution: Regional Coordinators should be able to mitigate conflicts involving a judge in a diplomatic way.
- Protection of diversity: Regional Coordinators should be able to create and support a safe, welcoming and diverse community.
- Professionalism and diplomacy: Regional Coordinators should be able to be respected and to have a good, diplomatic and professional relationship with their regional leadership.
- Communication with the community: Regional Coordinators should be aware of all major changes in the Judge Program and be able to communicate with the judges in their region explaining said changes in their structure and philosophy.

Below are the judges currently holding the Regional Coordinator role, along with their expiration dates.

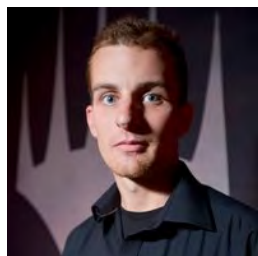
Expiring October 1, 2017



Giorgos Trichopoulos
Europe – East



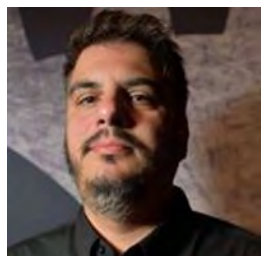
Sebastian Pekala
Europe – Central



Guillaume Beuzelin
France



Sergio Pérez
Iberia



Adrian Estoup
Hispanic America – South



Jarrod Williams
USA – Great Lakes



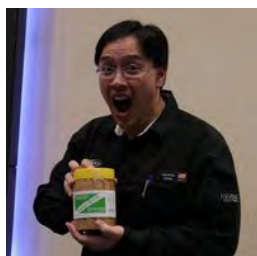
Rob McKenzie
USA – North



John Alderfer
USA – Northeast



Scott Marshall
USA – Northwest



Wearn Chong
South East Asia



Cristiana Dionisio
Brazil

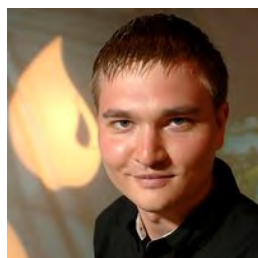
Expiring April 1, 2018



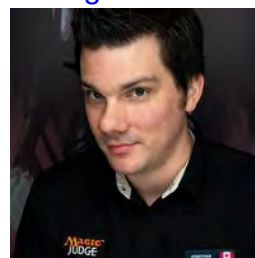
Richard Drijvers
BeNeLux



Stefan Ladstätter
German speaking countries



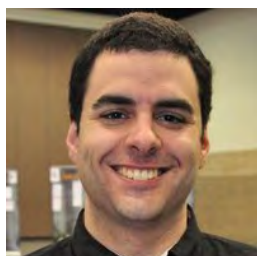
Eugene Bazhenov
Russian speaking countries



Jon Goud
Canada



David Hibbs
USA – South



David Zimet
USA – Southwest

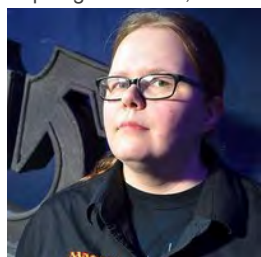


Hans Wang
China

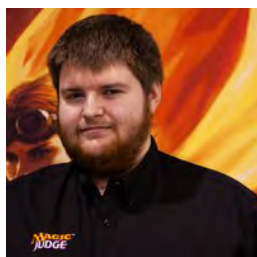


Mitsunori Makino
Japan

Expiring October 1, 2018



Johanna Virtanen
Europe – North



Jack Doyle
UK, Ireland & South Africa



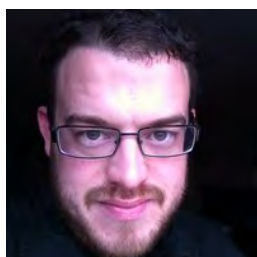
Cristiana Dionisio
Italy & Malta



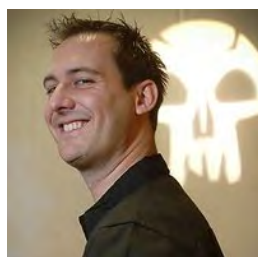
Steven Briggs
USA – Central



Nicholas Sabin
USA – Midatlantic



Justin Turner
USA – Southeast



Ryan Dare
Australia & New Zealand



Carlos Ho
Hispanic America – North

North American Regions

Canada

Regional Coordinator: [Jon Goud](#)

Countries: Canada

USA – Central

Regional Coordinator: [Steven Briggs](#)

States: Illinois, Iowa, Kansas, Missouri, Nebraska

USA – Great Lakes

Regional Coordinator: [Jarrod Williams](#)

States: Indiana, Kentucky, Michigan, Ohio

USA – Midatlantic

Regional Coordinator: [Nicholas Sabin](#)

States: District of Columbia, Maryland, North Carolina, Tennessee, Virginia, West Virginia

USA – North

Regional Coordinator: [Rob McKenzie](#)

States: Minnesota, North Dakota, South Dakota, Wisconsin

USA – Northeast

Regional Coordinator: [John Alderfer](#)

States: Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont

USA – Northwest

Regional Coordinator: [Scott Marshall](#)

States: Alaska, Colorado, Guam, Hawaii, Idaho, Montana, Oregon, Utah, Washington, Wyoming

USA – South

Regional Coordinator: [David Hibbs](#)

States: Arkansas, Louisiana, New Mexico, Oklahoma, Texas

USA – Southeast

Regional Coordinator: [Justin Turner](#)

States: Alabama, Florida, Georgia, Mississippi, South Carolina

Countries: Barbados[/judge])

USA – Southwest

Regional Coordinator: [David Zimet](#)

States: Arizona, California, Nevada

Latin American Regions

Brazil

Regional Coordinator: [Cristiana Dionisio](#)

Countries: Brazil

Hispanic America – North

Regional Coordinator: [Carlos Ho](#)

Countries: Costa Rica, Cuba, Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Puerto Rico

Hispanic America – South

Regional Coordinator: [Adrián Estoup](#)

Countries: Argentina, Bolivia, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay, Venezuela

European Regions

BeNeLux

Regional Coordinator: [Richard Drijvers](#)

Countries: Belgium, Luxembourg, Netherlands

German speaking countries

Regional Coordinator: [Stefan Ladstätter](#)

Countries: Austria, Germany, Switzerland

Europe – East

Regional Coordinator: [Giorgos Trichopoulos](#)

Countries: Albania, Bosnia, Bulgaria, Croatia, Cyprus, Greece, Israel, Kuwait, Macedonia, Montenegro, Qatar, Romania, Serbia, Slovenia, Turkey, United Arab Emirates

Europe – Central

Regional Coordinator: [Sebastian Pękala](#)

Countries: Czech Republic, Hungary, Poland, Slovak Republic

Europe – North

Regional Coordinator: [Johanna Virtanen](#)

Countries: Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway, Sweden

France

Regional Coordinator: [Guillaume Beuzelin](#)

Countries: France

Italy & Malta

Regional Coordinator: [Cristiana Dionisio](#)

Countries: Italy, Malta

Russian speaking countries

Regional Coordinator: [Eugene Bazhenov](#)

Countries: Belarus, Kazakhstan, Russia, Ukraine

Iberia

Regional Coordinator: [Sergio Pérez](#)

Countries: Portugal, Spain

United Kingdom, Ireland & South Africa

Regional Coordinator: [Jack Doyle](#)

Countries: Ireland, South Africa, United Kingdom

Asia Pacific Regions

Australia & New Zealand

Regional Coordinator: [Ryan Dare](#)

Countries: Australia, New Zealand

China

Regional Coordinator: [Hans Wang](#)

Countries & regions: China, Hong Kong, South Korea, Taiwan

Japan

Regional Coordinator: [Mitsunori Makino](#)

Countries: Japan

South East Asia

Regional Coordinator: [Wearn Chong](#)

Countries: Indonesia, Malaysia, Philippines, Singapore, Thailand

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EXHIBIT 12

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TEAM LEADING

Posted in [ARTICLES HOME](#) on January 13, 2010



By Wizards of the Coast

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What is team leading?

At large events with many players and many judges, a team structure is often used to split up the judge staff into small task forces, referred to as teams. This allows the Head Judge to divide the tasks between those groups in such a way that every group is responsible for one aspect of the tournament. The most common way of dividing the staff into teams is the following:

- One or two teams responsible for deck checks and counting deck lists; these are the Deck Checks teams
- A team responsible for posting pairings and standings, as well as distributing result slips; this is the Paper team
- A team to handle other things in the tournament, such as end-of-round procedure, preparing the draft setup, setting up table numbers, etc. If a task involves moving things around, the Logistics team is likely nearby!

Some events have other, specialized teams, which can be created by the Head Judge to match the specific needs of the event and the staff. One example is a Feature Match team.

Teams typically consist of three to six judges, although this is just a guideline. One of the team members functions as the team's leader; this is normally an experienced judge. The team leader is responsible for that team throughout the event. This includes coordinating the tasks, but it is really much broader than that, as outlined below.



The preparation

Usually, the HJ will inform the team leaders of their duties before the event. This means you should normally not be going into an event without knowing that you'll be leading a team of judges. Sometimes, if a schedule is available in advance, the team leaders will be given the names of their team members.

While the bulk of a team leader's job happens during the event, preparation is not unimportant.

If you know some of your team members, you might know what they need to work on. You can then think challenges that will help them advance. Even if you do not know in advance who will be in your team, it is a good idea to think up some interesting topics for discussion. This includes rules interactions and policy discussions, but can also be about something that is not related to judging, or perhaps not even related to *Magic* at all.

Figuring out a task schedule is the next challenge. Normally, the information that a team leader gets from the Head Judge is quite limited, since team leaders are, as experienced judges, expected to know how an event works and what should be done. Not everyone is able to auto-pilot through an event, of course, so this is where some preparation comes in. Asking yourself the following questions may help:

- What will be your team's duties? What do the other teams do? Are there any jobs that aren't assigned to a specific team?
- What materials will you need to carry out your duties and how will you get them?
- When should each task be done and how much time will it take to do it?
- How many judges will you need per task and how do you divide tasks to keep everyone occupied but not overworked?

Finally, a team leader is expected to have a team meeting at the start of the day. The contents of this meeting will depend greatly on how much detail the Head Judge puts into his or her judge briefing; It is also heavily dependent on the experience level of your judges. If you are at a Grand Prix, there will always be a few judges in your team working their first big event. Those judges will need more information about the difference between a small tournament back home and a big GP. If there are significant rules or policy changes and the Head Judge leaves it up to the team leaders to make sure everyone is up to speed about those, then that is one of your tasks as well.


- Think of ways to keep your team busy during the event. This includes thinking of topics for discussion.
- Have a basic timeline in your head. This timeline includes everything that happens in the tournament, including the responsibilities of the other teams with the focus on your own team's tasks.
- Have a rough idea of what you're going to tell your team members in the initial team meeting. Depending on who is in your team this meeting may need to be quite detailed or it might be kept rather brief. It is usually best to prepare for the first scenario, since skipping parts is easier than adding them.

The event

Then it's time for the actual event! If you're well prepared, this will be a breeze. Or perhaps not . . . Team leading is a high pressure job that will require focus and commitment throughout a very long day. And sometimes, even the following day.

Your day usually starts after the general judge briefing. Your first task is to assemble your team and to run the team meeting. Remember that not everyone is equally experienced and, depending on the event and the location, not everyone may share the same native language. Be to the point in your briefing, and try to keep things interactive. Involving the team members in the meeting is a good way to do some team building. This is also why most team meetings start off with a short introduction of everyone involved.





understands what he or she should do (and how to do it!) and your role as supervisor will be a lot easier. Do not fall for the trap of doing things yourself. Trust your judges and provide help if they need it, but do not get caught up with doing all the work yourself. Doing everything yourself will make you lose track of the big picture, and that will make your team seem like a Mindless Automaton. Additionally, your team members will feel bad because you seem to think that they cannot be trusted with their job. Give them a chance to shine!

An important task of a team leader is to take care of his or her judges during the event. This means making sure that everyone is having a good time, but also that everyone is healthy and fed. Staying hydrated is extremely important during long and exhausting events, and as team leader you should keep an eye out for your judges. Also, every judge should get a proper lunch break. Coordinate these breaks with the other team leaders, so that floor coverage is not suffering too much due to the absence of judges who are on a break.

Beside the relatively long lunch break, advise and allow your team members to take short breaks throughout the day. Especially during the later rounds, this is important because it is hard to stay focused all day long. Remind your judges that you prefer them sharp and alert thanks to a few short breaks over having them on the floor the entire day but unfocused before the event is halfway.

As mentioned in the section concerning preparation, keeping your judges occupied with interesting discussions is an important aspect of team leading. Judges travel from afar to work at large events and it is important that they take something home to share with their local community. Sharing knowledge and experience, and providing feedback and training, form the very foundation of the judge program. Large events give excellent opportunities to spread this knowledge and experience to different areas around the world. By providing interesting discussion topics, you're encouraging this.

Team meetings are a great time to start and wrap up these discussions. They are also important to keep the spirits up. Your team will need motivation during the later rounds; having team meetings where you inspire your judges to stay sharp will help you achieve this. You don't need to have one every round and you don't need to formally sit down somewhere if you can also just gather around for a quick chat at the end of the round. As long as you have people talking to each other and doing their jobs, things are running smooth. If not, a more formal meeting may be needed.

This brings us to the final point: team building. A good team leader makes his judges feel connected as a team. At the end of the day, every judge in the team should know



you will see that a lot of the interaction between two judges individually is out of your hands. That said, you can (and should!) do your best to create a positive group feeling that will encourage these interactions.

The aftermath

While the event might be done for the day, your job as team leader is not done yet!

First of all, you need to run a short team debriefing to wrap things up. Announce to your team members what went good and what could have gone better. If you're happy with the team's performance, be sure to get that message passed along in a clear way. In any case, thank all your team members for their efforts and remind them to think about reviews.

Yes, reviews. As team leader, you should try to do more reviews than usual. You may not be able to give everyone a full review, but talking to all your judges at some point to give them some feedback is definitely something you should do. As said before, the process of training and feedback forms the foundation of the judge program, so this is important.

What makes a good team leader?

Of course the first thing that a team leader has to strive for is getting the job done. If you're new to team leading, this will absorb most of your time and focus. As you gain experience as a team leader, however, you'll be able to do a lot more for your team.

Main focus



First of all the team leader, much like a true Field Marshal , needs to make sure that everybody in the team knows what they're doing. Explaining all the tasks that lie ahead is usually the first thing that helps you steer your team into the right direction. Normally, the head judge will give you some more specific instructions if there's something that needs your attention. (An excellent team leader will already have covered those issues before the head judge even brings them up.)

An experienced team leader will be able to auto-pilot the tasks that his or her team needs to tackle. Therefore he or she will have more time to focus on coordination, team building, and mentoring.

Coordination

There are quite a few things that need to be coordinated when you're a team leader. As said the main focus is on coordinating the tasks within your team, but there are also things that need to be coordinated between different teams.

For starters there are the lunch breaks (and possibly dinner breaks). The best time to coordinate lunch breaks is during one of the first team leader meetings. The earlier these breaks are set, the better. The head judge will not always organize a team leader briefing immediately after the tournament starts, and does not necessarily need to be involved in coming up with the break schedule, so show some initiative in getting this fixed!

Another issue is floor coverage. As a team leader, try to make sure that players are being helped swiftly. Coordinating floor coverage with other teams is important; one



Some tasks will require a combined effort from multiple teams: setting up the area to draft at the Pro Tour or Nationals is one example. Successful completion of this genre of tasks requires coordination between teams. The best way to organize this is obviously through the different team leaders, where, generally, the Logistics team leader will take point.

Finally, there will always be things that come up unexpectedly. To be able to handle these challenges, it is important that you're visibly available. Availability ensures that your team members and other team leaders will be able to easily contact you for anything they might want to ask you. You should also appoint someone to be your replacement when you're not available, because eventually even you will need to take a break as well. Be sure that your team and the other team leaders know who this is!

Team building



One the most important goals for a team leader, next to getting the job done and keeping up communication between the teams, is to make your team actually feel and act like a team, not just a bunch of individuals. Team Spirit!

One commonly used team building activity is giving the team an assignment unrelated to the event that causes discussion within the team. Some examples are:

- If you were booking the locations for the next Pro Tour season, which locations would you book? (1 North American, 1 European, 1 Asian and 1 Exotic location.)



- If you would be head of R&D for the next Magic expansion, which new mechanic would you come up with?

Another instrument you could use is making pairs within your team, where each judge is assigned a "buddy." Using this system will make the judges paired up get to know each other much better, but it doesn't necessarily make the whole team come closer together. This will only happen if you steer it that way.

Games are another great tool. Judges are usually Magic players too, and Magic players are typically quite competitive. Having a team game going on in a tournament can be a tremendous help to build your team. Be aware however that you don't shift the focus away from the tournament towards the game too much; we don't want judges to be preoccupied with the game instead of working the event!

Mentorship

The last step in becoming a good team leader is mentorship. Being a mentor for your team ensures that all of the team members will have gained some experience from the event that they can apply in their local community.

One well-known tool is shadowing. The buddy system is a great way of ensuring people are shadowing each other, but even without it, shadowing rulings is a great way to be able to provide feedback after the event.

The discussions that you've fired off during your team meetings are another way to provide mentoring to your team. Sometimes this will be a discussion of an interesting situation that happened at the event. Other times, you'll have thought of an interesting policy topic and given your team some food for thought that way. Be sure to have these discussions and to steer the team in those discussions. Let your judges do most of the talking, but be prepared to give your own opinion (and preferably also the by-the-book solution, if it exists).

Mentoring can also come from sharing stories from personal experiences. If you've had a particularly interesting situation at a previous event, you can share that story with your team; there doesn't always need to be a full-scale discussion if you can bring your point across in a story. That said, be open for questions afterwards!

There are many more techniques, most of which are useful in some scenarios and less so in others. To give an example: if you're working with a L2 who's thinking about going for L3, try to keep him or her close by, ask for his or her input when you have the time, and most importantly, explain your decisions: why are you doing something



the event and what to look out for at any given time. Walking this judge through the event step by step by giving guidance and tips will be a tremendous help for him or her. Basically, it is important to adapt your mentoring technique to the needs of the one receiving it.

Wrapping up

Team leading is always a challenge, no matter how experienced you are at it. At the same time, it can be one of the most rewarding jobs at an event. We hope this article has provided you with some tips and tricks for the next time you're going to be leading a team of judges at a large event!

Richard Drijvers and Jurgen Baert

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EXHIBIT 13

Judge Uniform Policy

To help maintain the professionalism and look of Magic events, all judging staff members have a distinctive uniform they wear while judging. This will vary depending on the competitiveness of the event or the role of the person - for example, at a Pre-release your Tournament Organizer (or Head Judge) may allow you to wear a branded Staff T-Shirt and your comfortable jeans, whereas the Pro Tour requires full dress uniform.

There are currently four official Judge Shirts;

The Black and White Polo

While this shirt is being phased out, it is still acceptable attire for local events.

The Black DCI Shirt

This is the current standard for uniform. If you own a name tag, this is to be worn with the shirt, either above the pocket or directly below the DCI logo. The DCI logo is being replaced with sewn patches with the Magic Judge logo whenever possible.

The Burgundy Magic Judge Shirt

This shirt is reserved for the Head Judge of Grand Prix and Pro Tour events. (Note: The Black and Red striped shirt has been retired and is no longer officially worn)

The Blue Magic Judge Shirt

This shirt is reserved for Regional Coordinators to wear when they are performing Regional Coordinator role that does not include floor judging. This can be at Grand Prix if assigned this or at Judge Conferences. If representing the Judge Program to non-judges (players, retailers, organizers, distributors, etc...) it is preferred the Black is used."

Here are some things to keep in mind:

- At some high profile events, the shirt is typically not the only part of the uniform. Judges will also wear black pants, belt and black shoes, and must keep their shirt tucked in. Using this uniform locally improves your appearance, but the exact judge attire is the Tournament Organizer's decision.
- At local events, it is usually not necessary to wear an official shirt. However, it can add to the professionalism of the event – and even if uniform standards aren't quite as stringent, always remember how you look is a reflection of yourself, your Tournament Organizer and the DCI.
- Never wear your uniform while playing, trading, or engaging in any activity that may suggest bias toward one player over another. This doesn't mean you can't talk to your friends, but when you're acting as a Judge, be professional and impartial
- If you are not the Head Judge of an event, check with the Tournament Organizer and/or Head Judge to see what attire is appropriate.
- Do not wear your judge shirt except when judging a DCI event. Do not represent Wizards at another company's events (common respect) and similar is expected at WotC events
- Only on-duty judging staff members are to wear official Judge shirts - this is work uniform, not something to wear out to dinner.
- The shirts are only for certified judges. An uncertified judge may make use of a shirt for an event for sake of a consistent image, but that shirt must be returned at the end of the event.
- Beyond the dress code, Judges are to present neatly - press your shirt, brush your hair and put in your low-key facial piercings. And don't forget the most important piece of Judge Uniform - your

smile!

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EXHIBIT 14

Magic Judge Code

Current as of June 23, 2016

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Introduction

The values which form the foundation of the Magic Judge Code (“the Code”) are service, integrity, community, respect, and trustworthiness. Examples of these include treating others helpfully and with respect, following the rules of tournaments, and creating an inclusive environment where we can all share and enjoy the game of Magic together.

These values can overlap or even compete with each other for priority. More than one value can justify a given element of the Code. These values may at times need to be balanced against each other, yet they remain guideposts for the Judge Program.

A judge is someone who upholds these values and sacrifices some of their time to help run tournaments, deliver rulings, and address community concerns and issues. From the judge who answers their local store’s rules questions to the Head Judge on the Pro Tour, we all share the goals of making Magic fun and Magic tournaments fair.

Judges hold special positions of trust and authority within the community – we enforce the rules, award penalties, and even disqualify players. Appropriately, the community expects judges to act in ways which demonstrate worthiness of that position and authority.

This document helps judges understand their responsibilities. It’s here to help define what is acceptable and what isn’t. The behavior of judges toward the Magic community affects our ability to act as trusted experts at events, but there are limits to the Judge Program’s interest. It is outside the Judge Program’s interest to manage or limit the personal private lives of judges, especially those interactions which do not involve the Magic community.

Membership of the Judge Program is voluntary or “at will” from both sides - a judge can withdraw from the Judge Program at any time, and the Judge Program can choose to suspend a judge, change a judge’s certification level, or even decertify a judge altogether based on their conduct.

The Judge Program will investigate and address alleged misconduct on the part of any member. The ways in which the Judge Program addresses misconduct are intended to uphold its values, ensure safe and welcoming Magic experiences, and to preserve the standing of the Judge Program in the eyes of the community.

Principles of Judge Conduct

Judges are granted additional powers to help them carry out their responsibilities to the Magic community. The community empowers judges with the expectation that judges use their status and authority fairly and with accountability.

A judge should use their judge status or authority fairly.

Judges should use their status and authority impartially and within the guidelines of the appropriate tournament documents. A judge should treat all members of the Magic community with fairness and respect regardless of their actual or perceived race, sex, gender, gender expression/identity, color, religion, national origin, or sexual orientation. A community member's reputation, fame, skill, or any other similar factor should not affect how a judge treats that person. A judge may examine the actions of a person with a history of suspicious behavior more closely, but should not make a biased decision about whether someone is cheating or not based on that reputation alone.

A judge should not use their judge status or authority for undue personal gain.

Judges should serve the Magic community. At a Regular REL event, a judge should not unreasonably rule in their own favor if a disagreement comes up in their match. A judge should not penalize a player because of a personal disagreement, nor avoid penalizing a player due to a personal relationship. Judges should not use their status to gain trust in order to commit fraud, nor use their access to players' decks or tournament organizers' product to commit theft or other dishonest acts.

A judge should create a welcoming environment.

Judges have the same responsibilities as all members of the Magic community to avoid actions which could reasonably be expected to cause someone else to feel harassed, threatened, bullied, or stalked. They have additional responsibility to act positively to create environments where these behaviors are not accepted and all members of the Magic community can feel welcome. Judges should not allow others to create a bad environment by inaction. Judges should not express views that would make other members of the Magic community feel unsafe or unwilling to attend an event where that judge was on staff.

A judge should take responsibility for their conduct and for the use of their judge status and authority.

Judges should not attempt to prevent other members of the Magic community from reporting their behavior. Retaliation of any kind for reporting suspected misconduct is not tolerated. Judges should never attempt to disguise or hide the reporting process from any person who wishes to use it. Judges should admit and accept their mistakes, and be honest and direct in their communication.

Anything which would be considered player misconduct is always considered judge misconduct.

Misconduct which is Unsporting Conduct - Major or Cheating under the Magic Infraction Procedure Guide, or is considered a Serious Problem in a Regular REL context is also considered judge misconduct. Issues which lead to a suspension from Wizards of the Coast or the Player Investigations Committee will at least carry a suspension of equal length by the Judge Program.

Connection to Magic

Judges have a responsibility to reflect the best of the Magic community and the values of the Judge Program. However, when considering misconduct, the nature of a connection between alleged misconduct and Magic is an important consideration.

A higher judge certification level corresponds to increased trust and status within the community. Therefore, a judge's certification level or program role is relevant to misconduct investigations.

For instance, the public behavior of Regional Coordinators, Program Coordinators, and Grand Prix Head Judges is perceived by the community to be connected to Magic and the Judge Program to a degree that is characteristically different from other judges in the program. Accordingly, judges in advanced roles should consider their public conduct to be at least partially connected at all times.

For the purpose of considering misconduct, behavior is divided into three categories of connection to Magic:

- Behavior which is directly connected to Magic and judging;
- Behavior which is partially connected to Magic and judging; and
- Behavior which is not connected.

Each category is defined and explained below.

Directly Connected

This includes conduct by a judge who is acting or clearly representing themselves as a certified judge.

Examples of this include:

- Working at an event as a judge, including on breaks.
- Doing anything while wearing judge attire.
- Doing anything while representing themselves as a judge. This includes using a photo of themselves in a judge shirt as their icon on social media or bringing up their judge status in order to gain trust.
- Contributing to an official judge discussion website, such as JudgeApps or the official Magic Judges Facebook page.

Misconduct while in uniform and/or working at an event as a judge is always in the scope of the Code because a uniformed judge directly represents the Judge Program and the Magic community. Posts on official judge-related sites are also held to this standard. Likewise, if a judge uses their judge status to engender trust, those activities are held to this standard. The judge uniform and logo make an impression which connects the behavior of a judge using them to the Judge Program. Misconduct when acting in this role may carry more severe sanctions than if it occurs in partially connected or unconnected circumstances.

Partially Connected

This includes conduct by a judge who is at a Magic event in a non-judge role, a judge who is addressing an audience which is primarily focused on Magic, a judge who is or speaking as a person who is strongly associated with Magic and/or judging.

Examples of this include:

- Playing or otherwise attending a Magic event in a non-judge capacity
- Playing, trading, or interacting with others on Magic Online
- Posting on an unofficial Magic site or Magic-related social media
- Attending a social event organized alongside a Magic event

When there is a connection to Magic, misconduct has the potential to reflect poorly on the Judge Program and its members. A judge's behavior may affect the standing and level of trust the Judge Program has in that judge. Misconduct in this area does not always reflect on the rest of the Judge Program and Magic, but it can harm the community's view of a judge and the level of trust the community puts in that judge.

Not Connected

If the only connection to Magic and/or judging in a case of alleged misconduct is the fact that the person involved is a certified Magic judge, then that alleged misconduct is not for the Judge Program to consider. However, cases of very serious alleged misconduct may represent significant and exceptional circumstances which warrant the Judge Program's consideration. Wizards of the Coast may take the lead in addressing such cases.

Identifying Misconduct

The Judge Conduct Committee (“the Committee”) exists to decide when a judge’s conduct is a problem and how that misconduct should be resolved from the Judge Program’s perspective. It is comprised of Level 3 judges, selected by the Program Coordinators and Regional Coordinators in a periodic application and selection process.

Committee members gather information about the case, including a statement from the judge in question. The judge in question may also identify another judge who may agree to act as their advocate with the Committee. If the advocate judge selected is a member of the Committee, the advocate judge will not participate in resolving the case. The advocate judge’s purpose is to help ease communication and potential feelings of intimidation with the Committee and ensure the judge in question does not feel alone or isolated as their case proceeds. Communication with a judge accused of misconduct and with judges who may have information sought by the Committee will use the e-mail address provided by the judge via JudgeApps unless they specify otherwise.

After the needed information is gathered and considered, the Committee members then make a recommendation on how they believe the case should be resolved. In these recommendations, the Committee members consider whether the judge accused is responsible for the alleged misconduct, the specific circumstances of the case, including the degree of connection to Magic, and other factors in its deliberations. The Regional Coordinator Advisory Committee (RCAC), Program Coordinators, and the Judge CommunityManager are advised of these decisions before they take effect.

The Committee is responsible for ensuring anyone reporting a concern and any judge who is the subject of a concern are kept informed of what the next step in the investigation is and when it is expected to be completed.

The Committee uses a document which details its process and recommended resolutions for a range of possible misconduct circumstances. However, in order to prevent any person from attempting to game the system, this document is kept private.

A list of suspended and decertified judges is available only to the Committee, Regional Coordinators, Program Coordinators, and the RCAC. Any of these judges may communicate with affected individuals regarding the status of suspended judges on an as-needed basis.

Reporting Suspected Misconduct

Suspected misconduct should be reported to the Regional Coordinator of the judge in question or reported through the Magic Judge feedback form, which can accommodate completely anonymous reports.

Contact a Regional Coordinator here:

<http://blogs.magicjudges.org/contact/contact-a-regional-coordinator/>

Access the feedback form here: <http://goo.gl/wj7Zp0>

Suspected misconduct can also be reported to any judge in an advanced role or member of the Committee, who will then bring the issue to the Committee.

Suspected misconduct which occurs at an event should be reported to the tournament organizer in addition to any available channel of reporting to the Committee.

Anonymous reports of suspected misconduct may also be reported to the member of the RCAC who is picked from the Pro Tour Hall of Fame. That person will forward the concern anonymously and will not reveal the reporting person's identity to any judge without the reporting person's consent. The current representative is Jon Finkel.

To be clear, the Judge Program and the processes described here are not substitutes for law enforcement. Serious misconduct involving alleged or potentially criminal acts should be reported to the appropriate authorities.

Types of Misconduct

Misconduct is sorted into the types listed here to help judges understand the expectations of the Judge Program and what sorts of behavior are addressed by the Committee. These descriptions also help the Committee ensure similar incidents have consistent and fair resolutions. Mistaken rulings or other honestly intended errors on the part of any judge are not considered misconduct.

Violating Event Integrity

A judge commits an act of malice or dishonesty which impairs the integrity of an event. This occurs when a judge takes advantage of a conflict of interest related to the position and authority of their judge status. This also happens when a judge is registered as the official for a tournament without being present.

The penalties associated with this misconduct protect the integrity of sanctioned events.

Examples:

- A judge intentionally changes the pairings in a round of an event to ensure their friends do not play against one another until the final round.
- A judge gives a player improper access to the decklist of their opponent because the player is a friend.
- A judge, knowing they will not be physically present at a tournament site, asks the organizer to register them as a judge in order to meet activity requirements to maintain certification.

Impersonating a judge

This may occur when someone represents themselves as a certified Magic judge in order to gain a benefit or to avoid a possible penalty. Someone who lies about being a certified judge may lack the appropriate qualities of honesty and trustworthiness to be a judge.

Examples:

- A player erroneously believes they are a judge, either through misunderstanding the result of an administered exam or a Rules Advisor exam.
- A judge claims to be a judge of a higher certification level than they actually are in an attempt to impress or gain the favor of a tournament organizer.
- A player claims to be a judge in order to satisfy the sanctioning or reporting requirements of an event, or to gain employment or trust in the community.

Significant Diplomacy Failure

Judges are expected to demonstrate appropriate diplomacy with players, spectators, other judges, and organizers.

A significant diplomacy failure happens when a judge fails to demonstrate appropriate diplomacy with another player, spectator, judge, or organizer in a specific and significant way. The outcome of the failure will often be a visible, disruptive escalation of a conflict or an end of a working relationship, with some impact to the image of the Judge Program.

A significant diplomacy failure can also occur when a judge acts in a way which they should reasonably expect will cause emotional distress, mental anguish, or other non-physical harm to another person. This also includes violations of privacy. Repetitive or persistent behavior of this nature is instead harassment. Threats of physical violence are instead assault.

This includes any form of retaliation against anyone who has reported or is believed to have reported misconduct. Members of the community should be able to report misconduct without fear of retaliation.

This does not include general abrasiveness, unfriendliness, or other generally antisocial behavior, especially within social media.

Examples:

- A judge is involved in a shouting match with a colleague on the floor of an event.
- In a conversation with a tournament organizer, a judge uses a racial slur in an attempt to be funny.
- A judge seeks out a specific player at an event and insults that player's gender expression.

Harassment

Harassment is the act of systematic and/or continued unwanted and annoying actions of one person or a group, including but not limited to threats, demands, intimidation, and coercion.

Harassment, sexual or otherwise, is not acceptable behavior by any judge. Any claim of harassment will be handled with care and respect toward the victim.

Examples:

- A judge asks another judge out on a date when having drinks after the event, is denied, and does not immediately drop the issue.
- A judge becomes romantically interested in a judge candidate they are mentoring, is denied, and uses mentoring the candidate as a pretext for continuing to stalk the candidate.

Assault

A judge causes or threatens to cause bodily harm to another person. This is completely unacceptable and shall be severely punished. If the behavior in question was only intended to prevent bodily harm to the judge or another person, that will be a factor in the Committee's considerations.

Examples:

- A judge attempts to end a fistfight by becoming involved as a combatant.
- A judge punches a player after being provoked by an insult.
- A judge arranges a meeting with the intention of sexually assaulting the person he or she has arranged to meet.

Wagering and Bribery

A judge bets on anything related to a tournament, solicits a bribe, accepts a bribe, or ignores a bribe rather than enforcing the appropriate rules.

Wagering on Magic is unacceptable. Accepting, soliciting, or ignoring a bribe impairs the integrity of the Judge Program and is unacceptable.

Examples:

- A judge solicits a bribe from a player in order to ignore an offense which would otherwise result in the player being disqualified.
- A judge places a bet on their friend to make 'top 8' of a tournament.

Theft

A judge steals materials which are owned by a player, another judge, a store, or an organizer. Thieves can't be tolerated in any way within the Judge Program.

Examples:

- A judge pockets one of the spare boosters from a draft.
- A judge takes product from the store he or she judges at without receiving permission from the store manager.

Resolving Misconduct

Possible resolutions are listed below in order of severity from low to high. There may be additional communication, remedies, or conditions associated with a resolution, depending on each case's specific circumstances.

No Action

If a case has been brought to the attention of the Committee, and the Committee has found it unnecessary to penalize, then a letter will be sent to the judge to inform them that a resolution has been made and no action will follow.

Warning Letter

The purpose of a warning letter is to identify problematic behavior to the warned judge. It also encourages a change in the judge's behavior as a condition of continued inclusion in the Judge Program.

Suspension

Suspensions are the most complex resolution. A suspension enforces a period of separation from the Judge Program as an opportunity to reflect and change behavior. It identifies problematic behavior to the suspended judge and encourages a change in that behavior as a condition of re-joining the Judge Program. A suspension is also an affirmation of the seriousness with which the Judge Program approaches problematic behavior.

Suspended judges are expected to avoid acting as judges or representing themselves as judges. They may not participate in any DCI or WPN sanctioned event as judges. They may not participate in judge conferences.

Suspended judges' JudgeApps accounts remain active. However, a suspended judge should not participate in discussions on forums limited to certified judges beyond reading them. Suspended judges are not expected to remove themselves from non-JudgeApps groups or forums limited to certified judges. However, the individuals controlling those groups may decide to remove a suspended judge at their discretion.

A suspended judge should not actively participate in ongoing judge projects, especially not in a leadership role. However, a specific project's leader may decide to retain a suspended judge as a participant in their project to ensure the project's continuity when the suspension ends. The decision to allow a suspended judge to resume participating in or leading a project is up to the specific project leader. In the rare event that a project leader is suspended, leadership should be immediately handed off to that project's backup leader.

A suspended judge may not participate in the Exemplar Program by submitting recognitions. Recognitions submitted by a suspended judge while suspended will not be published and will not have mailings associated with them. Recognitions of a suspended judge or submitted while that judge is suspended and recognitions submitted prior to the suspension may proceed with mailings at the discretion of Wizards of the Coast.

Access to the Judge Center is not affected by a suspension. A suspended judge can still submit reviews, take practice exams, and otherwise use the Judge Center. A suspended judge is encouraged to complete any reviews in progress when the suspension began. A suspended judge should hand off any candidates for certification or advancement to another judge to ensure continuity of mentoring and avoid unnecessary delays.

Organizers for events who have selected a suspended judge through JudgeApps will be notified of the suspension. Those organizers make their own decisions regarding the people they include in their events' staff. However, a suspended judge who acts as a judge at an event will be assumed to be ignoring their suspension.

Demotion

Demotion can apply when the actions of the judge were unbecoming of their level, or where the prestige, authority, or responsibilities associated with a judge's level were an important factor in the misconduct. This penalty is primarily used to deny a judge certain privileges which were associated with their level of certification.

A demotion can be enforced in conjunction with a suspension. For Level 1 judges, there is no difference between demotion and decertification.

Decertification

Decertification is used in cases where the Committee believes the judge should no longer be part of the Judge Program. This is the most severe penalty available to the Committee, and is not taken lightly.

As an additional remedy, the Committee may exclude the judge from successfully completing the certification process in the future.

Appendix A - Revision History

December 1, 2014 - First published version

January 1, 2015 - Second published version

December 24, 2015 - Third published version

June 23, 2016 - Fourth published version

Changes April-May 2016

- References to Level 4 and 5 removed, other edits related to NNWO.

Changes December 24, 2015

- Added reference to WotC potentially taking lead on serious and exceptional cases.
- Added specific reference to WotC in addition to PIC potentially suspending a player who is also a judge.
- Specified preferred method of communication with judge and advocate is JudgeApps e-mail addresses.
- Added language to Significant Diplomacy Failure to stress that we're really not monitoring Facebook, and the issue should be specific rather than generally being unfriendly and antisocial.
- Added clarification on suspension, with specific references to conferences and Exemplar.
- Added RCs to list of folks who have input in the Committee composition.
- Added detail to advocate role, in addition to removing L3 requirement. L3s remain "recommended" but in practice, L2s have been fine as advocates where the judge in question feels more comfortable with them.
- Minor typo fixes. Structure and page numbering fix, split former "Appendix A" into relevant sections, no longer an appendix.

Changes January 1, 2015:

- Typo and clarity fixes
- Document structure, table of contents, font, page numbers, division into sections and appendices
- Added reporting section to administrative guidelines
- Explicit inclusion of statement from judge in question, option of requesting an advocate, and communication expectations
- Reordered types of misconduct for better continuity in severity
- Renamed, broadened, and clarified "DCI Number Fraud or Improper Registration" to "Violating Event Integrity"
- Clarified the second example under "Wagering and Bribery"

EXHIBIT 15

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Judge Conduct Committee

Be Excellent to Each Other

Magic Judge Code

This page houses the current, up-to-date version of the Magic Judge Code. You can find it here (.pdf): [Magic Judge Code](#)

The current version of the document has been informed by the perspectives and experiences of the 2015 term members, (formerly) L4/L5 judges, and the Regional Coordinators, as well as each person who has been involved in a case in the 2015 term.

The team which contributed to the writing and construction of the original version of this document includes (in no particular order):

- Eric Levine
- Alfonso Bueno
- Gavin Duggan
- Kim Warren
- Sean Catanese
- Cristiana Dionisio
- David Lyford-Smith
- Kevin Binswanger
- Jeremy Behunin
- David Zimet
- Richard Drijvers
- Tasha Jamison
- Chris Richter
- Adam Shaw
- Eric Shukan

Judge Conduct Committee

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EXHIBIT 16



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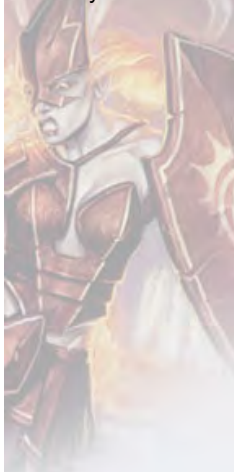
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Prize Support Kits

Two ways to support your Magic: The Gathering Tournaments!

This program is US only, for Europe visit the [European Gateway Page](#).

Haven't sanctioned an event with the DCI yet?

The DCI® has two new items to support in-store game play of Magic: The Gathering® Introduction to the DCI® Kit and the Tournament Support Kit.

The Introduction to the DCI Kit is intended for those stores not currently running DCI-sanctioned Magic™ tournaments, but are ready to start! This kit is available to any core store through your Wizards Representative, or your preferred authorized Wizards distributor.

This kit contains what you need to run your first league or tournament in your store:

- Sixteen exclusive premium Magic: The Gathering cards. These cards are huge incentives for your customers to play in your store.
- Suggestions for leagues and tournaments in your store. Customers that play more, buy more. The information in the kit is a small part of the support the DCI can provide to help you run fun, successful leagues or tournaments.
- A poster with art from the current Magic Core Set (9th Edition). Another reminder to your customers about the cool art in the Core Set, and the day and time you run leagues or tournaments.
- An informational brochure on other tournament support opportunities. Details about Friday Night Magic™ and Magic Release Tournaments -- two of the opportunities the DCI provides to successful tournament organizers to drive current and new customers to their stores.

Already Running DCI Sanctioned Events?

For those who already run DCI-sanctioned tournaments, we offer the Magic: The Gathering Tournament Support Kit.

It contains:

- Two packs containing 16 exclusive premium cards – more of the cards your customers want to win!
- One poster featuring Magic: The Gathering art from the current expansion – a reminder of where your customers can buy the latest Magic expansion.
- An informational brochure on other tournament support opportunities – Just a reminder that if you're not already running Friday Night Magic or Magic Release events, you're missing out on great opportunities to increase tournament attendance and sales.

- An information sheet with descriptions of the different DCI-sanctioned tournament formats. (There's more to sanctioned play than Standard!) For those looking for tournament formats to offer their customers, this sheet is the place to start.

The Tournament Support Kit is available only to those stores currently running DCI-sanctioned Magic tournaments. – Your Wizards representative or preferred Wizards distributor will have more details.

If you have any questions about the Introduction or Tournament Support kit please feel free to contact your Wizards of the Coast Direct Sales Representative (800) 564-1636, or your [preferred Wizards distributor](#).



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EXHIBIT 17



FREQUENTLY ASKED QUESTIONS

Search our common questions

FRIDAY NIGHT MAGIC

Select a question to view the answer.

[How do I issue the FNM promo cards? \(/en/faq/how-do-i-issue-fnm-promo-cards-0\)](/en/faq/how-do-i-issue-fnm-promo-cards-0)

[What do "Tournament" and "Casual" mean? \(/en/faq/what-do-tournament-and-casual-mean\)](/en/faq/what-do-tournament-and-casual-mean)

[How much should I charge for my events \(FNM, Prerelease, etc\)? \(/en/faq/how-much-should-i-charge-my-events-fnm-prerelease-etc\)](/en/faq/how-much-should-i-charge-my-events-fnm-prerelease-etc)

[How do I schedule Friday Night Magic? \(/en/faq/how-do-i-schedule-friday-night-magic\)](/en/faq/how-do-i-schedule-friday-night-magic)

[What are the prizes for FNM? \(/en/faq/what-are-prizes-fnm\)](/en/faq/what-are-prizes-fnm)

For each week that you schedule FNM, Wizards will send you foil, alternate-art promo cards in quantities determined by your store level.

Core level stores receive **5** promos per Friday, **Advanced** receive **10**, and **Advanced Plus** receive **15**.

Additional prize support is at your discretion.

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[How do I sign up for FNM?](/en/faq/how-do-i-sign-fnm) (/en/faq/how-do-i-sign-fnm)

[Am I eligible to run FNM?](/en/faq/am-i-eligible-run-fnm) (/en/faq/am-i-eligible-run-fnm)

[What is Friday Night Magic \(FNM\)?](/en/faq/what-friday-night-magic-fnm) (/en/faq/what-friday-night-magic-fnm)

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EXHIBIT 18

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September 25, 2015

Via Certified Mail:

Wizards of the Coast, LLC
1600 Lind Avenue SW, Ste 400
Renton, Washington 98055

Labor and Workforce Development Agency
Attn. PAGA Administrator
455 Golden Gate Avenue, 9th Floor
San Francisco, CA 94102

Re: ***Paul Yale v. Wizards of the Coast, LLC***
Cal. Labor Code § 2699.3 Notice of Intent to File PAGA Claims

To Whom It May Concern,

Along with my co-counsel, Goldstein, Borgen, Dardarian & Ho, I represent Paul Yale. The purpose of this letter is to give notice to you and the Labor and Workforce Development Agency that our client, Paul Yale, intends to file a lawsuit on behalf of himself and all “aggrieved employees” against Wizards of the Coast, LLC (“WOC”) to allege penalties pursuant to the Private Attorney General’s Act of 2004 (“PAGA,” Cal. Labor Code § 2699, *et seq.*) based on WOC treating my client and all other Level 1 through 3 Judges (hereafter “similarly aggrieved employees”) as “volunteers”, and not employees. Specifically:

- 1) WOC failed to pay regular and overtime wages for all hours worked by Mr. Yale and other similarly aggrieved employees for their time spent working as Level 1 through 3 Judges at events and tournaments, including Friday Night Magic and store-based weekday events. WOC further failed to compensate Mr. Yale and similarly aggrieved employees for mandatory continuing education, all in violation of Cal. Labor Code §§ 510, 1194, 1198;
- 2) WOC failed to provide Mr. Yale and other similarly aggrieved employees with off-duty meal breaks in violation of Cal. Labor Code §§ 512 and 226.7;
- 3) WOC failed to authorize and permit Mr. Yale and other similarly aggrieved employees with 10-minute rest breaks in violation of Cal. Labor Code §§ 512 and 226.7; and
- 4) WOC failed to comply with itemized wage statement provisions in violation of California Labor Code §§ 226, 1174, and 1175, and never issued any itemized statements to Mr. Yale and the other similarly aggrieved employees.

Wizards of the Coast, LLC

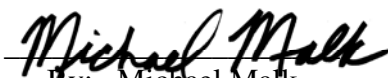
September 25, 2015

Page 2

Since at least September 18, 2014, Mr. Yale and other similarly aggrieved employees were subjected to the same uniform policies and procedures of WOC wherein WOC treated them as volunteers with no rights under the California Labor Code. However, Mr. Yale and the other similarly aggrieved employees were – and are – employees of WOC. In order to work as Level 1 through 3 Judges, Mr. Yale and other similarly aggrieved employees were required to take tests administered by, and register with, WOC, undergo training, document their participation in tournaments, and complete rigorous continuing education requirements. WOC expects Level 1 through 3 Judges to read extensive announcements, directives, instructions, rulings, and discussions by e-mail and on various WOC websites, provide their contact information on the WOC website, contribute reports, renew their certification with regular testing, train other Level 1 through 3 Judges, and provide evaluations of other Level 1 through 3 Judges. Moreover, the work of Mr. Yale and his other similarly aggrieved Level 1 through 3 Judges is performed under the close supervision and control of WOC, all of which creates an employer and employee relationship, and which entitles Mr. Yale and other similarly aggrieved employees with rights under the California Labor Code, including the rights to minimum and overtime wages, meal and rest breaks, and the right to receive regular itemized wage statements.

As such, pursuant to Labor Code § 2699.3, we write to inform you and the Labor and Workforce Development Agency of our intent to file a civil lawsuit against WOC to allege a PAGA claim in a lawsuit under Labor Code § 2699, *et seq.*, to be brought by Mr. Yale individually and on behalf of all other current and former aggrieved employees of WOC for penalties related to WOC's failure to pay regular and overtime wages, for failure to provide meal breaks and/or pay one hour of premium pay, for failure to authorize and permit rest breaks and/or pay one hour of premium pay, and failure to issue itemized wage statements.

Very truly yours,
Goldstein, Borgen, Dadarian & Ho
Malk Law Firm


By: Michael Malk